

2021 Candidate Qualifying Guide



Mississippi Secretary of State's Office

Elections Division

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Dear Fellow Mississippian:

Our office is pleased to provide you with the ***2021 Mississippi Elections Candidate Qualifying Guide***. This handbook outlines candidate qualifications, qualifying deadlines, and procedures.

This publication offers a wealth of information for both potential candidates of political offices in the State, as well as Mississippians interested in the elections process. We encourage you to take advantage of the resources offered by our agency, and hope you find this guide useful.

If we can assist you with additional information or clarification regarding candidate qualifying, please do not hesitate to call the Elections Division of the Office of the Mississippi Secretary of State at 601-576-2550 or 800-829-6786 or email to electionsanswers@sos.ms.gov.

Sincerely,

A handwritten signature in blue ink that reads "Michael Watson". The signature is written in a cursive style.

Michael Watson
Secretary of State

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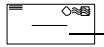
About This Guide

This qualifying guide provides essential information for candidates running in Mississippi's code charter municipal elections and certain school board elections in 2021. This guide begins with an overview of the qualifying process for party and independent candidates seeking public office. Candidates should familiarize themselves with the legal qualifications and the qualifying procedures for the office they intend to seek. This guide only provides information regarding elected offices for which an election will be held in 2021.

All candidates must file campaign finance reports. While this guide includes a brief explanation of campaign finance reporting requirements, please refer to the *Campaign Finance Guide* for more complete instruction. Keep in mind, a winning candidate who fails to file required campaign finance reports may not take office. A failure to file campaign finance reports also may result in criminal and civil penalties. This guide is available at the Secretary of State's Office website at www.sos.ms.gov.

For Assistance

Mail



Mississippi Secretary of State's Office
Attn: Elections Division
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Jackson, MS 39205-0136



Location

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Customer Service Standards

The Mississippi Secretary of State's Office is committed to providing superior customer service efficiently, promptly, and courteously. As a part of that commitment, suggestions, comments, and requests for information are welcome.

2021 Elections Calendar

Municipal Primary Election..... Tuesday, April 6, 2021
Municipal Primary Runoff Election Tuesday, April 27, 2021
Municipal General Election..... Tuesday, June 8, 2021
Regular Special Election Tuesday, Nov. 2, 2021
Special Runoff Election..... Tuesday, Nov. 23, 2021

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Special Charter Municipalities

A special or private charter may fix a date and time for a general election different from the date provided above for code charter municipalities. In such case, a first primary election may be held the first Tuesday, two (2) months before the general election with a second (run-off) primary election held three (3) weeks after the first primary election, unless provided otherwise by the special or private charter. *Miss. Code Ann. § 23-15-171(2)*.

A special or private charter may also fix candidate qualifications and candidate qualifying dates different from that provided within this Guide. Contact the Municipal Clerk or Municipal Attorney for additional information regarding dates set by special or private charter.

The following are special charter municipalities:

Aberdeen	Greenville	Okolona	Utica
Ackerman	Grenada	Port Gibson	Vicksburg
Carthage	Indianola	Rosedale	Water Valley
Columbus	Louisville	Satartia	Waveland
Corinth	McComb	Shannon	Woodville
Fulton	Natchez	Summit	Yazoo City

2021 CANDIDATE QUALIFYING DATES

Primary and Independent Candidates for Municipal Office:

Qualifying Period Begins Tuesday, January 4, 2021
Qualifying Deadline Friday, February 5, 2021

Consolidated/Consolidated Line School District Trustee:

Qualifying Period Begins Wednesday, August 4, 2021
Qualifying Deadline Friday, September 3, 2021

Municipal Separate and Special Municipal Separate School District Trustee:

Qualifying Period Begins Wednesday, August 4, 2021
Qualifying Deadline Friday, September 3, 2021

County and County District Special Election Candidates:

Qualifying Deadline Friday, September 3, 2021

General Qualifications for Office

All candidates must meet the following requirements to qualify for office:

- Qualified elector (registered voter) of the State of Mississippi and in the municipality/ward of the office for which the candidate seeks election. *Miss. Const. of 1890, Article XII, § 250.*
- Resident of the municipality, county or county district office that he or she seeks to represent for two (2) years immediately preceding the day of the election. This does not apply to municipalities with less than one thousand (1,000) residents according to the latest federal decennial census. *Miss. Code Ann. § 23-15-300.*
- Never have been convicted of bribery, perjury or other infamous crime, being defined as a crime punishable by a minimum of one (1) year confinement in the state penitentiary, unless pardoned for the offense. *Miss. Const. of 1890, Article IV, § 44.*
- Never have been convicted of a felony in a court of this state or, of a felony in a federal court, or of a crime in the court of another state which is a felony under the laws of this state, on or after December 8, 1992; excluding, however, a conviction of manslaughter or a violation of the United States Internal Revenue Code or any violation of the tax laws of this state, unless the offense also involved the misuse or abuse of an office or money coming into a candidate's hands by virtue of an office. *Miss. Const. of 1890, Article IV, § 44.*

Additional Qualifications by Office

Municipal Office:

In a Code Charter Municipality, the mayor and members of the board of aldermen shall be qualified electors (registered voters) of the municipality and, the aldermen elected from and by wards shall be residents of their respective wards. *Miss. Code Ann. § 21-3-9.*

In a Council form of government, the mayor and members of the council shall be qualified electors of the municipality and, the councilmen elected from and by wards shall be residents of their respective wards; however, if the city be divided into less than six wards, the remaining councilmen shall be elected at large. *Miss. Code Ann. §§ 21-7-7, 21-3-9.*

In a Commission form of government, please refer to *Miss. Code Ann. § 21-5-5.*

In a Mayor-Council form of government, please refer to *Miss. Code Ann. § 21-8-21.*

In a Council-Manager plan of government, please refer to *Miss. Code Ann. § 21-9-15.*

School District Trustee:

A candidate for **Consolidated/Consolidated Line School District Trustee** shall be a bona fide resident and qualified elector (registered voter) of the district in which election is sought, and shall have a high school diploma or its equivalent. *Miss. Code Ann. §§ 37-7-201, 37-7-306.*

Each school board member shall be required to complete a basic course of training and education for local school board members conducted by the Mississippi School Boards Association within six (6) months of his selection. In addition, each school board member shall be required to file annually in the office of the school board a certificate of completion of a course of continuing education conducted by the Mississippi School Boards Association. *Miss. Code Ann. § 37-3-4.*

* * * * *

A candidate for **Municipal Separate School District Trustee** shall be a bona fide resident and qualified elector (registered voter) of such school district, and shall have a high school diploma or its equivalent. *Miss. Code Ann. §§ 37-7-201, 37-7-203, 37-7-306.*

Each school board member shall be required to complete a basic course of training and education for local school board members conducted by the Mississippi School Boards Association within six (6) months of his selection. In addition, each school board member shall be required to file annually in the office of the school board a certificate of completion of a course of continuing education conducted by the Mississippi School Boards Association. *Miss. Code Ann. § 37-3-4.*

* * * * *

A candidate for **Special Municipal Separate School District Trustee** shall be a bona fide resident and qualified elector (registered voter) of such school district, and shall have a high school diploma or its equivalent. *Miss. Code Ann. §§ 37-7-201, 37-7-707, 37-7-306.*

Each school board member shall be required to complete a basic course of training and education for local school board members conducted by the Mississippi School Boards Association within six (6) months of his selection. In addition, each school board member shall be required to file annually in the office of the school board a certificate of completion of a course of continuing education conducted by the Mississippi School Boards Association. *Miss. Code Ann. § 37-3-4.*

Qualifying for Office

An individual seeking to run for office must choose to qualify as either a political party or independent candidate. A political party candidate participates in the April Primary Election (and possibly the Primary Runoff Election) seeking to win a particular political party's nomination for a particular municipality. The winning candidates in the Primary Elections will participate in the June General Election as the political party's nominee(s) for specific offices. An independent candidate participates only in the June General Election and, for the purposes of the ballot, has no designated political party affiliation. Before qualifying as a political party candidate, contact your Municipal Clerk to determine whether the party you seek to qualify with is organized in the municipality and Primary Election(s) will be held in your municipality as not all municipalities have organized political parties and will conduct Primary Elections.

Primary/Political Party Candidates

An individual who chooses to participate in a primary election to seek the nomination of a particular political party must submit to the Municipal Clerk's Office a "Qualifying Statement of Intent for a Candidate for Party Nomination," together with a qualifying fee of ten dollars (\$10.00), no later than 5:00 p.m. sixty (60) days prior to the date of the first primary election, i.e., February 5, 2021¹. The Municipal Clerk will forward the Statement of Intent and the filing fee to the Secretary of the proper political party's Municipal Executive Committee. Qualifying forms are available from your Municipal Clerk's Office, Municipal Party Executive Committee and on-line from the Secretary of State's website located at <http://www.sos.ms.gov/Elections-Voting/Pages/Candidate-Qualifying-Forms.aspx>.

Independent Candidates

An individual who chooses to participate in the general election only, without any political party affiliation, must submit to the Municipal Clerk's Office a "Qualifying Statement of Intent for an Independent Candidate," together with a Qualifying Petition, no later than 5:00 p.m. sixty (60) days prior to the date of the first primary election, i.e., February 5, 2021.

The qualifying deadline for party primary and independent candidates is the same date, i.e., February 5, 2021.

Independent candidates do not pay a qualifying fee.

A qualifying petition must be signed by at least fifty (50) qualified (registered) voters of the municipality or ward from which the candidate seeks office, if the municipality or ward has

¹ Candidates seeking election to the Municipal Party Executive Committee(s) in the Primary Election are not required to pay a qualifying fee, but must submit a Qualifying Statement of Intent to the Municipal Clerk's Office no later than 5:00 p.m. on February 5, 2021.

a population of one thousand (1,000) residents or more. The qualifying petition must be signed by at least fifteen (15) qualified (registered) voters of the municipality or ward from which the candidate seeks elections, if the municipality or ward has a population of fewer than one thousand (1,000) residents. The Municipal Clerk's Office must certify the signatures on the qualifying petition are those of registered voters of the municipality and/or ward. Qualifying forms, including Petitions, are available from your Municipal Clerk's Office and on-line from the Secretary of State's website at located at <http://www.sos.ms.gov/Elections-Voting/Pages/Candidate-Qualifying-Forms.aspx>.

What, When and Where to File:

Qualifying as a Candidate for Party Nomination:

- 1) Qualifying Statement of Intent for a Candidate for Party Nomination, and
- 2) Qualifying fee in the amount of ten dollars (\$10.00) made payable to the appropriate Municipal Party Executive Committee,
- 3) Filed with the Municipal Clerk's Office in the candidate's city of residence,
- 4) No later than 5:00 p.m. on Friday, February 5, 2021. NOTE: The qualifying date is an actual receipt deadline and cannot be extended under any circumstance.
- 5) Statement of Economic Interest, within fifteen (15) days of qualifying, with the Mississippi Ethics Commission, 660 North Street, Suite #100-C, Jackson, MS 39202; (601) 359-1285.
- 6) Required Campaign Finance Disclosure Reports filed with the Municipal Clerk's Office by 5:00 p.m. on the applicable deadline(s).

* * * * *

Qualifying as an Independent Candidate:

- 1) Qualifying Statement of Intent for an Independent Candidate, and
- 2) Qualifying Petition, signed by not less than the following number of qualified electors (registered voters), certified by the Municipal Clerk of the municipality from where the signatures were collected by the candidate:
- 3) Filed with the Municipal Clerk's office in the candidate's city of residence,
- 4) No later than 5:00 p.m. on Friday, February 5, 2021. NOTE: The qualifying date is an actual receipt deadline and cannot be extended under any circumstance.

- 5) Statement of Economic Interest, within fifteen (15) days of qualifying, with the Mississippi Ethics Commission, 660 North Street, Suite #100-C, Jackson, MS 39202; (601) 359-1285.
- 6) Required Campaign Finance Disclosure Reports filed with the Municipal Clerk's Office by 5:00 p.m. on the applicable deadline(s).

Qualifying as a Non-Partisan Candidate for School District Trustee Consolidated/Consolidated Line, Municipal Separate and Special Municipal Separate:

- 1) Qualifying Statement of Intent², and
- 2) Petition signed by not less than fifty (50) qualified electors of the area represented by the office³, certified by the Circuit Clerk of the county from which the signatures were collected
- 3) Filed with the County Election Commission/Circuit Clerk's Office,
- 4) No more than ninety (90) days nor later than 5:00 p.m. sixty (60) days before the election, i.e., ***no earlier than Wednesday, August 4, 2021 and no later than 5:00 p.m. on Friday, September 3, 2021.***
- 5) Statement of Economic Interest, within fifteen (15) days of qualifying, with the Mississippi Ethics Commission, 660 North Street, #100-C, Jackson, MS 39202; (601) 359-1285.
- 6) Required Campaign Finance Disclosure Reports filed with the appropriate Circuit Clerk's office by 5:00 p.m. on the applicable deadline(s).

² For a Municipal Separate School District Trustee candidate only, the Qualifying Statement of Intent must be accompanied by an Affidavit of the Candidate. All qualifying forms are available from your Circuit Clerk's Office, the Secretary of State's Office and on-line at <http://www.sos.ms.gov/Elections-Voting/Pages/Candidate-Qualifying-Forms.aspx>.

³ Where there are less than one hundred (100) qualified electors in the area to be represented by the trustee, the petition of nomination shall be signed by at least twenty percent (20.0%) of the qualified electors in the area.

Statement of Economic Interest

All candidates seeking office in the 2021 Primary and/or General Elections are required to file a Statement of Economic Interest with the Mississippi Ethics Commission within fifteen (15) days of qualifying. Incumbents must file on or before May 1, 2021. Additional information and forms may be obtained from the Mississippi Ethics Commission:

Mississippi Ethics Commission
600 North Street, Suite #100-C
Post Office Box 22746 (39225-2746)
Jackson, Mississippi 39202
Telephone: (601) 359-1285
Facsimile: (601) 359-1292

info@ethics.state.ms.us; www.ethics.ms.gov

Campaign Finance Reporting Requirements

Mississippi law requires all candidates for elective office to file campaign finance disclosure reports. Under the law, one is a candidate if he/she has filed qualifying papers or has spent or received *over \$200 in the aggregate* in furtherance of an election campaign. Following the qualifying deadline, all persons who have filed qualifying papers are candidates under the law, even if they have not received or spent any money whatsoever in furtherance of a campaign. Forms necessary for compliance with these laws are available from the Secretary of State's Office or the Circuit Clerk's Office. Campaign Finance reporting forms also may be downloaded from the Secretary of State's website located at <http://www.sos.ms.gov/Elections-Voting/Pages/Campaign-Finance-Lobbying.aspx>.

What information must be reported?

All Reports of Receipts and Disbursements filed under state law must be complete and include:

- Name, address, contact information, the office sought and political party affiliation, if any, of the candidate,
- The total amount of contributions received during the reporting period, both itemized and non-itemized, and an aggregate year-to-date total of all contributions,
- The total amount of disbursements made during the reporting period, both itemized and non-itemized, and an aggregate year-to-date total of all disbursements, and
- The total amount of cash on hand to date.

Itemized Contributions

A contribution must be included within the itemized total of contributions on the "Report of Receipts and Disbursements" and separately reported on the "Itemized Receipts" attachment to the report if the year-to-date aggregate total of the contribution(s) received from a particular

person, business or entity exceeds \$200.00. A contribution separately itemized on the “Itemized Receipts” must identify the contribution by contributor type, contributor name and address, date(s) and amount(s) for the reporting period and aggregate year-to-date total, and the occupation or employer of the contributor, if applicable.

Itemized Disbursements

A disbursement must be included within the itemized total of disbursements on the “Report of Receipts and Disbursements” and separately reported on the “Itemized Disbursements” attachment to the report if the year-to-date aggregate total of the disbursement(s) made to a particular person, business or entity exceeds \$200.00. A disbursement separately itemized on the “Itemized Disbursements” must be identified by the recipient’s name and address, the date(s) and amount(s) for the reporting period and aggregate year-to-date total, and purpose of the disbursement. *Miss. Code Ann. § 23-15-807(d)(ii)(iii)*.

Non-Itemized Contributions and Disbursements

Contributions and disbursements with year to date aggregate totals equal to or less than \$200.00 in a calendar year are not itemized. However, these amounts are included in the totals of all contributions and of all disbursements for the reporting period on the “Report of Receipts and Disbursements.”

When are reports due?

Reports are due in the appropriate office no later than 5:00 p.m. on the deadline. If a deadline falls on a weekend or legal holiday, the report is due at 5:00 p.m. on the first working day preceding the weekend or legal holiday. Statutory deadlines are provided on the front of each reporting form and on the schedule following hereafter.

The appropriate office must be in actual receipt of the report by 5:00 p.m. on the deadline. It is the responsibility of the candidate to make sure the report is delivered on time. *Miss. Code Ann. § 23-15-807(e)*.

Where to Report?

Candidates for **Municipal Office** file with the respective Municipal Clerk’s office.

Candidates for **County and County District Office (School Board Trustee)** file with the Circuit Clerk’s Office.

What types of reports must I file?

1. **Primary Pre-Election Report:** Filed by all opposed primary election candidates seeking nomination by a political party this calendar year. Independent and Third-Party candidates are not required to file a Primary Pre-Election Report.
2. **Pre-Runoff Election report:** Filed by all primary runoff election candidates seeking

- nomination by a political party this calendar year.
3. **General Pre-Election report:** Filed by all opposed candidates seeking election in the General Election this calendar year.
 4. **Annual report:** Filed by all municipal candidates.
 5. **Termination report:** All candidates may file a Termination Report to terminate reporting obligations.

A candidate should simply check (✓) the type of report being submitted on his/her form. A candidate may submit a Termination Report at the same time as another scheduled report by placing a check in the blank preceding both the scheduled report and the Termination Report.

Campaign finance forms are available from your Municipal Clerk's Office and on the Secretary of State's website located at <https://www.sos.ms.gov/Elections-Voting/Pages/Campaign-Finance-Lobbying.aspx>. Please refer to the Secretary of State's *Campaign Finance Guide* for detailed information on campaign finance procedures and a complete copy of the campaign finance disclosure law(s).

2021 MUNICIPAL CAMPAIGN FINANCE REPORTING SCHEDULE

FOR MUNICIPAL CANDIDATES IN 2021 WHO ACCEPTED CAMPAIGN CONTRIBUTIONS OR MADE DISBURSEMENTS IN FURTHERANCE OF A CAMPAIGN IN 2020:

Friday, January 29, 2021 Annual Report
(January 1, 2020 through December 31, 2020)

FOR MUNICIPAL PRIMARY ELECTION CANDIDATES, and POLITICAL COMMITTEES THAT RECEIVE CONTRIBUTIONS OR MAKE EXPENDITURES IN SUPPORT OF OR OPPOSITION TO A MUNICIPAL PRIMARY ELECTION CANDIDATE:

Tuesday, March 30, 2021 Primary Pre-Election Report
(January 1, 2021 through March 27, 2021)

FOR MUNICIPAL PRIMARY RUNOFF ELECTION CANDIDATES, and POLITICAL COMMITTEES THAT RECEIVE CONTRIBUTIONS OR MAKE EXPENDITURES IN SUPPORT OF OR OPPOSITION TO A MUNICIPAL PRIMARY RUNOFF ELECTION CANDIDATE:

Tuesday, April 20, 2021 Primary Pre-Runoff Report
(March 28, 2021 through April 17, 2021)

FOR MUNICIPAL GENERAL ELECTION CANDIDATES (INCLUDING BOTH PARTY NOMINEES AND INDEPENDENT CANDIDATES), and POLITICAL COMMITTEES THAT RECEIVE CONTRIBUTIONS OR MAKE EXPENDITURES IN SUPPORT OF OR OPPOSITION TO A MUNICIPAL GENERAL ELECTION CANDIDATE:

Tuesday, June 1, 2021 Pre-Election Report
(Party Nominee/Party Candidates: March 28, 2021 through May 29, 2021)
Independent Candidates: January 1, 2021 through May 29, 2021)

FOR ALL 2021 MUNICIPAL CANDIDATES, and POLITICAL COMMITTEES THAT RECEIVED CONTRIBUTIONS OR MADE EXPENDITURES IN SUPPORT OF OR OPPOSITION TO A MUNICIPAL CANDIDATE:

Monday, January 31, 2022 Annual Report
(January 1, 2021 through December 31, 2021)

Learning More about Elections in Mississippi

For further information about Mississippi's elections, visit our website at www.sos.ms.gov. At that location, you will find additional resources and publications.

This qualifying guide has been produced as an aid and a convenience for candidates who wish to qualify for municipal elections in 2021. Candidates should be aware that changes in state law enacted or court decisions made after the printing of this guide may affect deadlines or other substantive provisions of election law. Accordingly, in addition to this guide, candidates should review all current elections and campaign finance laws.

This guide is not intended to address qualifying for special elections. Candidates interested in qualifying for special elections should contact their Circuit Clerk's Office or the Secretary of State's Office for additional information.

Contact Information

**Mississippi Secretary of State's Office
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Post Office Box 136
Jackson, Mississippi 39205**

Elections Call Center	(601) 576-2250
Elections Hotline	(800) 829-6786
Elections Fax	(601) 576-2545
Mississippi Ethics Commission	(601) 359-1285
Mississippi Attorney General's Office	(601) 359-3680



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