



DELBERT HOSEMANN  
*Secretary of State*

**Special Municipal Elections  
To Fill Vacancies in City, Town, or Village Offices**

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Miss. Code Ann. 23-15-857

**If the vacancy creates an unexpired term of six months or less:**

- The vacant seat shall be filled by appointment by the governing authority or remainder of the governing authority of said city, town or village.
- The Municipal Clerk shall certify to the Secretary of State the fact of such appointment, and the person or persons so appointed shall be commissioned by the Governor.

**If the vacancy creates an unexpired term of greater than six months:**

- The governing authority shall make and enter on the minutes an order for an election to be held to fill the vacancy and fix a date upon which the election shall be held.
- Such order shall be made and entered upon the minutes at the next regular meeting of the governing authority after the vacancy shall have occurred, or at a special meeting to be held not later than ten (10) days after the vacancy shall have occurred. Saturdays, Sundays and legal holidays are excluded from this computation.
- The election shall be held on a date not less than thirty (30) days nor more than forty-five (45) days after the date upon which the order is adopted.
- Notice of the election shall be given by the Municipal Clerk by notice published in a newspaper published in the municipality.

- Such Notice shall be published once each week for three (3) successive weeks preceding the date of the election.
- The first Notice is to be published at least thirty (30) days before the date of the election.
- In the event there is no newspaper published in the municipality, then the Notice shall be published in a newspaper which has a general circulation within the municipality and by posting as provided below.
- It is within the municipality's discretion to publish more frequently than provided by statute.
- Notice shall also be given by posting a copy of such notice at three (3) public places in the municipality not less than twenty-one (21) prior to the date of the election. One (1) of these Notices shall be posted at the city, town or village hall.

**Qualification:**

- Each candidate shall qualify by petition filed with the Municipal Clerk by 5:00 p.m. at least twenty (20) days before the date of the election, and must be signed by the following number of qualified electors:
  - Population of 1,000 or more, not less than fifty (50) qualified electors.
  - Population of less than 1,000, not less than fifteen (15) qualified electors.
- No qualifying fee shall be required, and the election shall be held as far as practicable in the same manner as other municipal general elections.

**Election:**

- The candidate receiving a majority of the votes cast in the election shall be elected.
- If no candidate receives a majority of the votes cast, the two (2) candidates receiving the highest number of votes shall have their names placed on the ballot for a runoff to be held two (2) weeks after the first election.
- The Clerk of the Municipal Election Commission shall give a certificate of election to the person elected, and shall return to the Secretary of State a copy of the order of holding the election and runoff election showing the results, certified by the clerk of the governing authority.
- The person elected shall be commissioned by the Governor.

**Dispensing with the Election:**

- If, nineteen (19) days prior to the election date, only one (1) person shall have qualified, the governing authority shall dispense with the election and appoint that one (1) candidate in lieu of an election.
- In the event no person shall have qualified by 5:00 p.m. at least twenty (20) days prior to the election date, the governing authority shall dispense with the election and fill the vacancy by appointment
- The Clerk of the municipality shall certify to the Secretary of State the fact of the appointment, and the person so appointed shall be commissioned by the Governor.