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*Secretary of State*

## **Political Party Registration in Mississippi**

Political party formation in Mississippi is governed by *Miss. Code Ann. Sections 23-15-1051 through 23-15-1069*. These statutes are set forth in full by Appendix "A" following hereafter.

A political party must be organized and registered in accordance with Mississippi law in order to conduct primary elections and/or nominate candidates to qualify and appear on general election ballots for Mississippi elected offices. *Miss. Code Ann. §§ 23-15-1059, 23-15-1063*.

### **Selecting County and State Committees**

Before filing for registration, a political party must determine the method and procedures for the selection of county executive committees and the State Executive Committee(s). The political party's State Executive Committee must establish such procedures for the selection of the county and State Executive Committees at least ninety (90) days prior to the implementation of the procedures. A copy of any rule or regulation adopted by the State Executive Committee must be sent to the Secretary of State's Office within seven (7) days after its adoption. *Miss. Code Ann. § 23-15-1053*.

A person convicted of a felony in a court of this state, of any other state or of the United States is barred and therefore unable to serve as a member of a county executive committee. *Miss. Code Ann. § 23-15-1054(3)*.

### **Registration**

Within thirty (30) days from the day the party is organized, the party's chairperson or secretary files with the Mississippi Secretary of State's Office:

1. An application for registration, i.e., a letter asking for the registration of the political party in the State of Mississippi and disclosing the names of all organizations officially sanctioned by the political party;
2. An affidavit of the chairperson or secretary of the political party seeking registration containing:
  - a. The names and offices of all state executive committee members, including specifically the names of those designated as chairperson and secretary,
  - b. The names and offices of all national committee members,

- c. The names of the officers of the party, and
  - d. A statement setting forth the executive committee and other officers of the party were elected in accordance with the provisions of *Miss. Code Ann. § 23-15-1053*, or any laws supplementary or amendatory thereto; and
3. A copy of the party's organizational documents, which may include, but is not limited to, rules, regulations, or bylaws. *Miss. Code Ann. §§ 23-15-1059, 23-15-1061*.

### **Annual Update to Information**

The chairperson or secretary of the political party's State Executive Committee is required to update the registration of the name of the political party and the names of all organizations officially sanctioned by the political party with the Secretary of State's Office on an annual basis, disclosing any revisions, deletions or additions to the information provided by the initial Affidavit, by subsequent Affidavit. *Miss. Code Ann. § 23-15-1061*.

Any time a registered political party adopts new, or amends existing, rules or bylaws, a copy must be filed with the Secretary of State's Office within seven (7) days of adoption.

### **About this Publication**

This information is provided as an aid and convenience for those seeking to organize and register a political party in the state of Mississippi. However, the information provided herein is not exhaustive and changes in state law enacted or court decisions made after the printing of this publication may affect the substantive procedures and/or provisions of the applicable law. Accordingly, those seeking to organize and register a political party in Mississippi should endeavor to review the applicable election and campaign finance disclosure laws.

## **APPENDIX A**

### **Miss. Code Ann. § 23-15-1051. Function of State Executive Committees**

All duties in regard to senatorial or other districts of more than one (1) county shall be performed by the State Executive Committee. All candidates for any such office shall qualify with the State Executive Committee in the time and manner established by law.

#### **Credits**

Laws 1986, Ch. 495, § 310, eff. January 1, 1987. Amended by Laws 2017, Ch. 441 (H.B. 467), § 162, eff. July 1, 2017.

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### **Miss. Code Ann. § 23-15-1053. Selecting County and State Committees**

Subject to federal law and national party rules, the State Executive Committee of each political party shall determine the method and procedures for the selection of county executive committees and the State Executive Committees. The State Executive Committee of the political party shall establish procedures for the selection of county and State Executive Committees at least ninety (90) days before the implementation of the procedures. A copy of any rule or regulation adopted by the State Executive Committee shall be sent to the Secretary of State within seven (7) days after its adoption to become a public record.

#### **Credits**

Laws 1986, Ch. 495, § 311, eff. January 1, 1987. Amended by Laws 2017, Ch. 441 (H.B. 467), § 163, eff. July 1, 2017.

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### **Miss. Code Ann. § 23-15-1054. Temporary County Executive Committee Membership**

(1) If there be any political party or parties in any county without a party executive committee, such political party or parties shall select qualified electors of that county and of that party's political faith to serve on a temporary county executive committee until members of a county executive committee are elected at the next regular election for executive committees. The selection of qualified electors to serve on the temporary county executive committee shall occur thirty (30) days

before the date for which a candidate for a county office is required to qualify. The temporary county executive committee shall be selected in the following manner: Upon petition of five (5) or more members of that political faith, the chair of the State Executive Committee desiring to select a temporary county executive committee shall call a mass meeting of the qualified electors of their political faith who reside in the county to meet at some convenient place within the county, at a time to be designated in the call. At the mass convention, the members of that political faith shall select a temporary county executive committee. The temporary county executive committee shall serve until members of a county executive committee are elected at the next regular election for executive committees. The public shall be given notice of the mass meeting as provided in subsection (4) of this section. The chair of the State Executive Committee shall authorize the call within five (5) calendar days of receipt of the petition. If the chair of the State Executive Committee is either incapacitated, unavailable or nonresponsive and does not authorize the mass call within five (5) calendar days of receipt of the petition, any elected officer of the State Executive Committee may authorize the call within five (5) calendar days. If no elected officer of the State Executive Committee acts to approve such petition after an additional five (5) calendar days the petitioners shall be authorized to produce the call.

(2) If no county executive committee is selected or otherwise formed before an election, the State Executive Committee may serve as the temporary county executive committee and exercise all of the duties of the county executive committee for the county election. After a State Executive Committee has fulfilled its duties as the temporary county executive committee, it shall select a county executive committee before the next county election.

(3) A person convicted of a felony in a court of this state, any other state, or of the United States shall be barred from serving as a member of a county executive committee.

(4) The State Executive Committee shall publish a copy of its call for a meeting in some newspaper published in the affected county for three (3) weeks before the date set for the mass convention. If no newspaper is published in the county, then a copy of the call shall be published in a newspaper having general circulation in the county and by posting notices in three (3) public places in the county, one (1) of which shall be the county courthouse or the location where the county board of supervisors meets to conduct business. The publication shall occur not less than three (3) weeks before the date for the mass convention.

## **Credits**

Added by [Laws 2011, Ch. 509, § 5](#), eff. on July 26, 2011. Amended by Laws 2017, Ch. 441 (H.B. 467), § 164, eff. July 1, 2017.

Miss. Code Ann. § 23-15-1055. Selecting National Convention Delegates

The state executive committee of each political party shall determine the method and procedures by which delegates and delegate alternates to the national nominating conventions are to be selected as well as adopt any other rule not inconsistent with this chapter. The state executive committee of the political party shall establish, at least ninety (90) days prior to the second Tuesday in March in years in which a presidential election is held, procedures to be followed in the nomination of candidates for delegates and delegate alternates to the nominating convention of the political party. A copy of any rule or regulation adopted by the state executive committee shall be sent to the Secretary of State within seven (7) days after its adoption to become a public record.

**Credits**

Laws 1986, Ch. 495, § 312, eff. January 1, 1987.

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Miss. Code Ann. § 23-15-1057. Reconvening State Convention

(1) In the event sufficient cause should arise, and a majority of the membership of the State Executive Committee deems it necessary for the best interest of the political party and the state, the State Executive Committee is authorized to reconvene the state convention that selected them as members of the state executive committee at any time after the adjournment of the convention, but not later than the last day of the year in which the convention was held.

(2) The delegates chosen from the respective counties to a state convention in accordance with [Section 23-15-1055](#) shall continue to be delegates from the county to the convention for a period not later than the last day of the year in which the convention was held.

(3) A convention may be reconvened upon the call of the chair of the State Executive Committee only with the approval of a majority of the State Executive Committee. At least ten (10) days notice shall be given by the chair of the State Executive Committee of the reconvening of the state convention. The notice shall be given by publication of the call of the chair in any newspaper or newspapers having general circulation throughout the state.

(4) In the event a state convention is reconvened as provided in this section, the state convention may exercise all the power and authority conferred upon the convention by [Section 23-15-1055](#), and may revise or rescind any action taken at its previous regular session.

## Credits

Laws 1986, Ch. 495, § 313, eff. January 1, 1987. Amended by Laws 2017, Ch. 441 (H.B. 467), § 165, eff. July 1, 2017.

### Miss. Code Ann. § 23-15-1059. Registering Name

(1) The chair or secretary of the State Executive Committee of each political party chosen as provided in [Section 23-15-1053](#) shall register the name of the political party it represents, and the names of all organizations officially sanctioned by the political party, with the Secretary of State within thirty (30) days after the political party is organized. Thereafter, no political party shall use or register any name that is the same as or deceptively similar to the name of a political party or officially sanctioned organization that has already been registered with the Secretary of State by any other political party. No political party or officially sanctioned organization shall use any name in any campaign literature listing or describing its candidates that does not correspond with the name of the political party or officially sanctioned organization registered with the Secretary of State.

(2) The chair or secretary of the State Executive Committee of a political party shall update the registration of the name of the political party it represents and the names of all organizations officially sanctioned by the political party with the Secretary of State on an annual basis, disclosing any revisions or additions to the information to be provided by affidavit in accordance with Section 25-15-1061.

## Credits

Laws 1986, Ch. 495, § 314, eff. January 1, 1987. Amended by Laws 2017, Ch. 441 (H.B. 467), § 166, eff. July 1, 2017.

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### Miss. Code Ann. § 23-15-1061. Affidavit; Use of Name

(1) The application for registration of the political party and any officially sanctioned organizations named to be presented to the Secretary of State shall be accompanied by an affidavit of the chair or secretary of the political party seeking the registration. The affidavit shall contain a list of the names of the members of the State Executive Committee, showing the chair and secretary, the names of the national committeeman and committeewoman, and the officers of the party, setting forth that the executive committee and other officers of the party have been elected in accordance with the provisions of [Section 23-15-1053](#), or any laws supplementary or amendatory thereof. The Secretary of

State is authorized to require further proof as to the compliance with the provisions of [Section 23-15-1053](#) when it is reasonable to do so.

(2) The chair or secretary of the district and county executive committees of each political party, chosen as provided in [Section 23-15-1053](#), shall register the name of the political party it represents with the chair or secretary of the State Executive Committee of that political party within thirty (30) days after December 31, 2017. The application for registration shall be accompanied by an affidavit of the chair or secretary of the party seeking such registration listing the names of the members of the district executive committee and of the State Executive Committee, showing the chair and secretary and other officers of the party, setting forth that the executive committee of the party has been elected in accordance with the provisions of [Section 23-15-1053](#), or any laws supplementary or amendatory thereof. The chair or the secretary of the State Executive Committee is authorized to require further proof of compliance with the provisions of [Section 23-15-1053](#) when it is reasonable to do so. Thereafter, no political party shall use or register any name that is the same as or deceptively similar to the name of a political party or officially sanctioned organization that has already been registered with the chair or secretary of the State Executive Committee by any other political party. No political party or officially sanctioned organization shall use any name in any campaign literature listing or describing its candidates that does not correspond with the name of the political party or officially sanctioned organization registered with the secretary or chair of the State Executive Committee.

### **Credits**

Laws 1986, Ch. 495, § 315, eff. January 1, 1987. Amended by Laws 2017, Ch. 441 (H.B. 467), § 167, eff. July 1, 2017.

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### Miss. Code Ann. § 23-15-1063. Operation Without Organization or Registration

No political party in the State of Mississippi shall conduct primaries or enter candidates in any election unless the party has been duly organized under the provisions of this chapter, and the name of the party has been registered as provided in this chapter.

### **Credits**

Laws 1986, Ch. 495, § 316, eff. January 1, 1987. Amended by Laws 2017, Ch. 441 (H.B. 467), § 168, eff. July 1, 2017.

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Miss. Code Ann. § 23-15-1065. Sanctions for Misrepresentation

A person shall be barred from participating in any primary election held by a political party if that person claims or represents himself or herself in any manner to be a member of any state, district or county executive committee of any political party in this state, or claims to be the national committeeman or national committeewoman or any other officer or representative of the political party without having been lawfully elected or chosen as such in the manner provided by the laws of this state, or by the political party in the manner provided by the laws of this state, or claims to be the nominee of any political party authorized by the laws of this state to hold primary elections and choose party nominees, when in fact such person has not been declared the nominee of such political party for such office by such political party operating under the laws of this state. Any person or persons who violate the provisions of this section, in addition to other measures or penalties provided by law, may be enjoined therefrom upon application to the courts by any person or persons, or any political party, official or representative of the political party aggrieved.

**Credits**

Laws 1986, Ch. 495, § 317, eff. January 1, 1987. Amended by Laws 2017, Ch. 441 (H.B. 467), § 169, eff. July 1, 2017.

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Miss. Code Ann. § 23-15-1067. Prohibited Conduct and Remedies, Generally

It shall be unlawful for any person or group of persons to set up or establish any political party in this state except in the manner provided by the laws of this state, and it shall be unlawful for any person or group of persons not lawful members of a political party to use, attempt to use or to operate under the name of any other political party lawfully existing and operating under the laws of this state. Any person or persons violating this section, in addition to such other measures or penalties provided by law, may be enjoined therefrom upon application to the courts by any person, or persons, or any political party, official or representative of the political party aggrieved.

**Credits**

Laws 1986, Ch. 495, § 318, eff. January 1, 1987. Amended by Laws 2017, Ch. 441 (H.B. 467), § 170, eff. July 1, 2017.

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Miss. Code Ann. § 23-15-1069. Application

The provisions of [Sections 23-15-771](#) and [23-15-1053](#) shall be applicable to all political parties registered pursuant to [Sections 23-15-1059](#) and [23-15-1061](#).

### **Credits**

Laws 1986, Ch. 495, § 319, eff. January 1, 1987.