



Lynn Fitch
ATTORNEY GENERAL
OPINIONS

June 26, 2020

Honorable Danny Glaskox
Chairman, Jackson County Election Commission
4111 Amonett Street
Pascagoula, Mississippi 39567

Re: Election Commissioners Association of Mississippi as a “Public Body”

Dear Commissioner Glaskox:

The Office of the Attorney General is in receipt of your request for the issuance of an official opinion.

Question Presented

Is the Election Commissioners Association of Mississippi (“ECAM”) a “public body” as defined by Miss. Code Ann. Section 25-41-3?

Brief Response

ECAM is not a “public body” within the meaning of Section 25-41-3.

Applicable Law and Discussion

Section 25-41-3 provides, in relevant part:

For purposes of this chapter, the following words shall have the meaning ascribed herein, to wit:

(a) “Public body” means any executive or administrative board, commission, authority, council, department, agency, bureau or any other policymaking entity, or committee thereof, of the State of Mississippi, or any political subdivision or municipal corporation of the state, whether the entity be created by statute or

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executive order, which is supported wholly or in part by public funds or expends public funds, and any standing, interim or special committee of the Mississippi Legislature.

While individual county election commissions are clearly public bodies as defined by Section 25-41-3(a), ECAM is a voluntary association of individual election commissioners. *See*, MS AG Op., *Cochran* (February 24, 1994). It is not an entity created by statute or executive order, is not supported by public funds and does not expend public funds. It is, therefore, the opinion of this office that ECAM is not a public body within the meaning of Section 25-41-3.

If we may be of any further assistance to you in the future, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: /s/ *Phil Carter*

Phil Carter
Special Assistant Attorney General

OFFICIAL OPINION