

By: Representative Ishee

To: Judiciary A;  
Appropriations

HOUSE BILL NO. 146

1 AN ACT TO AMEND SECTION 9-1-107, MISSISSIPPI CODE OF 1972, TO  
2 REVISE CERTAIN QUALIFICATIONS FOR THE DESIGNATION OF SENIOR JUDGE,  
3 TO PROVIDE FOR INSURANCE COVERAGE; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 9-1-107, Mississippi Code of 1972, is  
6 amended as follows:

7 9-1-107. (1) Retired Court of Appeals, chancery, circuit or  
8 county court judges or retired Supreme Court Justices \* \* \* who  
9 have served as a judge or justice for at least four (4) years and  
10 who desire to be designated as senior judges of the State of  
11 Mississippi shall file a certificate for such designation with the  
12 Supreme Court. The certificate shall be in such form as  
13 prescribed by the Supreme Court. The filing of such certificate  
14 shall place such judge on senior status.

15 (2) If judges who are placed on senior status are receiving  
16 retirement benefits by virtue of the provisions of the Public  
17 Employees' Retirement Law of 1952, appearing as Sections 25-11-1  
18 through 25-11-139, Mississippi Code of 1972, such benefits shall  
19 not be reduced in any sum whatsoever because of being placed on  
20 senior status or because of service as a special judge, pursuant  
21 to Section 9-1-105, nor shall any sum be deducted as contributions  
22 toward retirement under such law.

23 (3) The Supreme Court shall have the authority to promulgate  
24 rules and regulations governing the service and tenure of senior  
25 judges on senior status, and may remove from senior status any  
26 judge who does not comply with the dictates of this statute or

27 who, without good cause, refuses appointment under Section  
28 9-1-105.

29 (4) Any person appointed as senior judge on senior status  
30 hereunder shall, for the period of his service as a special judge  
31 pursuant to Section 9-1-105, receive compensation from the state  
32 for each day's service a sum equal to 1/260 of the current salary  
33 in effect for the judicial offices. Any person appointed as a  
34 senior judge on senior status shall be reimbursed for travel  
35 expenses incurred in the performance of the official duties to  
36 which he may be appointed hereunder in the same manner as other  
37 public officials and employees as provided by Section 25-3-41,  
38 Mississippi Code of 1972. Each judge so serving shall make out an  
39 itemized account of the number of days he in good faith served,  
40 and make affidavit to same and file it with the Clerk of the  
41 Supreme Court. The said clerk shall issue a certificate showing  
42 the length of time such senior judge or judges on senior status  
43 served, and the Department of Finance and Administration shall  
44 issue its warrant therefor.

45 (5) During tenure as a senior judge, senior judges shall be  
46 deemed active members of the Mississippi Conference of Judges and  
47 shall be required to satisfy the requirements of continuing  
48 judicial education. Such senior judges or justices shall also  
49 remain participants of the state medical and life insurance plans  
50 which shall be paid by the state. If such judge or justice has  
51 served for less than four (4) years in which case the judge or  
52 justice may remain a participant in the state medical and life  
53 insurance plans but will be responsible for the premiums if he  
54 chooses to leave the office.

55 SECTION 2. The Attorney General of the State of Mississippi  
56 shall submit this act, immediately upon approval by the Governor,  
57 or upon approval by the Legislature subsequent to a veto, to the  
58 Attorney General of the United States or to the United States  
59 District Court for the District of Columbia in accordance with the  
60 provisions of the Voting Rights Act of 1965, as amended and  
61 extended.

62 SECTION 3. This act shall take effect and be in force from  
63 and after the date it is effectuated under Section 5 of the Voting

64 Rights Act of 1965, as amended and extended.