

By: Reeves, Coleman (29th)

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 68

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 171, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT JUSTICE
3 COURT JUDGES SHALL MEET SUCH QUALIFICATIONS AS THE LEGISLATURE, BY
4 GENERAL LAW, MAY PRESCRIBE; AND FOR RELATED PURPOSES.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
6 MISSISSIPPI, That the following amendment to the Mississippi
7 Constitution of 1890 is proposed to the qualified electors of the
8 state:

9 Amend Section 171, Mississippi Constitution of 1890, to read
10 as follows:

11 "Section 171. A competent number of justice court judges and
12 constables shall be chosen in each county in the manner provided
13 by law, but not less than two (2) such judges in any county, who
14 shall hold their office for the term of four (4) years. Each
15 justice court judge shall meet such qualifications as the
16 Legislature, by general law, may prescribe.

17 The maximum civil jurisdiction of the justice court shall
18 extend to causes in which the principal amount in controversy is
19 Five Hundred Dollars (\$500.00) or such higher amount as may be
20 prescribed by law. The justice court shall have jurisdiction
21 concurrent with the circuit court over all crimes whereof the
22 punishment prescribed does not extend beyond a fine and
23 imprisonment in the county jail; but the Legislature may confer on
24 the justice court exclusive jurisdiction in such petty
25 misdemeanors as the Legislature shall see proper.

26 In all causes tried in justice court, the right of appeal
27 shall be secured under such rules and regulations as shall be

28 prescribed by law, and no justice court judge shall preside at the
29 trial of any cause where he may be interested, or the parties or
30 either of them shall be connected with him by affinity or
31 consanguinity, except by the consent of the justice court judge
32 and of the parties.

33 All reference in the Mississippi Code to justice of the peace
34 shall mean justice court judge."

35 BE IT FURTHER RESOLVED, That this proposed amendment shall be
36 submitted by the Secretary of State to the qualified electors at
37 an election to be held on the first Tuesday after the first Monday
38 of November 2000, as provided by Section 273 of the Constitution
39 and by general law.

40 BE IT FURTHER RESOLVED, That the explanation of this proposed
41 amendment for the ballot shall read as follows: "This proposed
42 constitutional amendment deletes the provisions that prescribe
43 qualifications for justice court judges as provides that the
44 Legislature shall prescribe such qualifications by general law."

45 BE IT FURTHER RESOLVED, That the Attorney General of the
46 State of Mississippi shall submit this resolution, immediately
47 upon adoption by the Legislature, to the Attorney General of the
48 United States or to the United States District Court for the
49 District of Columbia, in accordance with the provisions of the
50 Voting Rights Act of 1965, as amended and extended.