HOUSE BILL NO. 115

AN ACT TO AMEND SECTIONS 9-19-1 AND 9-19-3, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP OF THE COMMISSION ON JUDICIAL PERFORMANCE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 9-19-1, Mississippi Code of 1972, is amended as follows:

9-19-1. The Commission on Judicial Performance shall consist of the following members:

(a) One (1) practicing attorney to be appointed by the Attorney General;

(b) Two (2) practicing attorneys to be appointed by the Governing Board of the Mississippi State Bar Association; and

(c) Two (2) practicing attorneys to be appointed by the governing board of the Magnolia Bar Association.

An alternate for each member shall be selected at the time and in the manner prescribed for initial appointments in each representative class to replace those members who might be disqualified or absent.

SECTION 2. Section 9-19-3, Mississippi Code of 1972, is amended as follows:

9-19-3. The terms of office of the commission members shall be for six (6) years. Members shall not be allowed to succeed themselves after serving a full term. Commission membership terminates if a member ceases to hold the position that qualified the member for appointment. A vacancy shall be filled by the appointing power for the remainder of the term.
No member of the commission shall be eligible for state judicial office so long as he is a member of the commission and for a period of two (2) years thereafter. No member of the commission shall hold office in a political party or participate in any campaign for judicial office and hold public office; provided that a judge may participate in his own campaign for judicial office and hold that office. The commission shall elect one (1) of its members as its chairman.

SECTION 3. This act shall take effect and be in force from and after the date that House Concurrent Resolution No. ____ , 2001 Regular Session, is ratified by the electorate.