

By: Representative Fleming

To: Judiciary A

HOUSE BILL NO. 115

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

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

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

7 9-19-1. The Commission on Judicial Performance shall consist
8 of the following members:

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

11 * * *

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

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

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

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

22 9-19-3. The terms of office of the commission members shall
23 be for six (6) years * * *. Members shall not be allowed to
24 succeed themselves after serving a full term. Commission
25 membership terminates if a member ceases to hold the position that
26 qualified the member for appointment. A vacancy shall be filled
27 by the appointing power for the remainder of the term.



28 No member of the commission * * * shall be eligible for state
29 judicial office so long as he is a member of the commission and
30 for a period of two (2) years thereafter. No member of the
31 commission shall hold office in a political party or participate
32 in any campaign for judicial office and hold public office;
33 provided that a judge may participate in his own campaign for
34 judicial office and hold that office. The commission shall elect
35 one (1) of its members as its chairman.

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

