

By: Representatives Frierson, Fillingane,  
Formby, Moak

To: Judiciary A;  
Appropriations

HOUSE BILL NO. 906

1 AN ACT TO AMEND SECTION 9-7-42, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE AN ADDITIONAL JUDGE FOR THE FIFTEENTH CIRCUIT COURT  
3 DISTRICT; TO AMEND SECTIONS 23-15-982 AND 23-15-983, MISSISSIPPI  
4 CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 9-7-42, Mississippi Code of 1972, is  
7 amended as follows:

8 9-7-42. (1) There shall be three (3) judges for the  
9 Fifteenth Circuit Court District.

10 (2) For the purposes of appointment and election, the three  
11 (3) judgeships shall be separate and distinct and denominated for  
12 purposes of appointment and election only as "Place One," "Place  
13 Two" and "Place Three."

14 SECTION 2. Section 23-15-982, Mississippi Code of 1972, is  
15 amended as follows:

16 23-15-982. (1) Majority of vote equals any excess of the  
17 total vote for all candidates divided by the number of judgeships  
18 to be filled divided by two (2).

19 If some or all candidates in a multijudge election do not  
20 receive a majority of the vote, then candidates equal in number to  
21 twice the number of remaining positions to be filled and having  
22 the highest votes shall run in a runoff election. In such event,  
23 if there is not a sufficient number of remaining candidates equal  
24 to twice the number of remaining positions to be filled, then all  
25 remaining candidates shall run in the runoff election.

26 (2) Any tie votes which require resolution to determine who  
27 shall enter a runoff election shall be determined by the



28 commissioners of election in the manner prescribed by Sections  
29 23-15-601 and 23-15-605.

30 Candidates equal to the remaining number of positions to be  
31 filled who have the highest votes in the runoff election are  
32 elected.

33 Any tie votes which must be determined in order to decide who  
34 is elected as a result of a runoff election shall be determined by  
35 the State Election Commission in the manner prescribed by Sections  
36 23-15-601 and 23-15-605.

37 (3) The provisions of this section shall apply only to  
38 districts and subdistricts which are multijudge districts except  
39 for the Eighth, Tenth, Sixteenth and Twentieth Chancery Court  
40 Districts and the Second, Eighth, Fifteenth and Nineteenth Circuit  
41 Court Districts.

42 SECTION 3. Section 23-15-983, Mississippi Code of 1972, is  
43 amended as follows:

44 23-15-983. At the general election, the candidates equal to  
45 the number of positions to be filled and having the highest votes  
46 shall be elected.

47 Any tie votes in the general election which must be resolved  
48 in order to determine who is elected shall be resolved in the  
49 manner prescribed by Sections 23-15-601 and 23-15-605.

50 The provisions of this section shall apply only to districts  
51 and subdistricts which are multijudge districts except for the  
52 Eighth, Tenth, Sixteenth and Twentieth Chancery Court Districts  
53 and the Second, Eighth, Fifteenth and Nineteenth Circuit Court  
54 Districts.

55 SECTION 4. The Attorney General of the State of Mississippi  
56 is directed to submit this act, immediately upon approval by the  
57 Governor, or upon approval by the Legislature subsequent to a  
58 veto, to the Attorney General of the United States or to the  
59 United States District Court for the District of Columbia in



60 accordance with the provisions of the Voting Rights Act of 1965,  
61 as amended and extended.

62 SECTION 5. 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.

