

By: Senator(s) Turner

To: Judiciary

SENATE BILL NO. 2988

1 AN ACT TO AMEND SECTIONS 9-5-1, 9-7-1, 9-9-1 AND 23-15-1015,
2 MISSISSIPPI CODE OF 1972, TO REVISE THE TERMS OF OFFICE OF
3 CHANCELLORS AND CIRCUIT AND COUNTY COURT JUDGES; AND FOR RELATED
4 PURPOSES.

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

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

8 9-5-1. A chancellor shall be elected for and from each of
9 the chancery court districts as provided in this chapter and the
10 listing of individual precincts shall be those precincts as they
11 existed on October 1, 1990. He shall hold court in any other
12 district with the consent of the chancellor thereof when in their
13 opinion the public interest may be thereby promoted. The terms of
14 all chancellors elected at the regular election for the year 1930
15 shall begin on the first day of January, 1931, and their terms of
16 office shall continue for eight (8) years. A chancellor shall be
17 a resident of the district in which he serves but shall not be
18 required to be a resident of a subdistrict if the district is
19 divided into subdistricts.

20 SECTION 2. Section 9-7-1, Mississippi Code of 1972, is
21 amended as follows:

22 9-7-1. A circuit judge shall be elected for and from each
23 circuit court district and the listing of individual precincts
24 shall be those precincts as they existed on October 1, 1990. He
25 may hold court in any other district with the consent of the judge
26 thereof, when in their opinion the public interest may require.
27 The terms of all circuit judges hereafter elected shall begin on

28 the first day of January 1931 and their terms of office shall
29 continue for eight (8) years. A circuit judge shall be a resident
30 of the district in which he or she serves but shall not be
31 required to be a resident of a subdistrict if the district is
32 divided into subdistricts.

33 SECTION 3. Section 9-9-1, Mississippi Code of 1972, is
34 amended as follows:

35 9-9-1. (1) There shall be an inferior court to be known as
36 the county court in and for each of the following counties:

37 (a) Each county of the state wherein a county court is
38 in existence on July 1, 1985; and

39 (b) From and after January 1, 1987, each county which
40 has a population exceeding fifty thousand (50,000) inhabitants as
41 shown by the latest federal decennial census.

42 (2) A county judge for a county which is required to
43 establish a county court under paragraph (1)(b) of this section
44 shall be elected by the qualified electors of such county for the
45 same term and in the same manner as provided for the election of
46 circuit court judges at an election held at the same time as the
47 next regular election of circuit court judges first occurring
48 after the date upon which it can be determined that a county court
49 is required under the provisions of paragraph (1)(b) of this
50 section to be established in such county.

51 (3) The provisions of this section shall not be construed so
52 as to require that a county court be established in any county in
53 which the board of supervisors has agreed and contracted with the
54 board of supervisors of any other county or counties to support
55 and maintain one (1) county court for such counties as provided in
56 Section 9-9-3.

57 SECTION 4. Section 23-15-1015, Mississippi Code of 1972, is
58 amended as follows:

59 23-15-1015. On Tuesday after the first Monday in November
60 1986, and every eight (8) years thereafter and concurrently with

61 the election for representatives in Congress, there shall be held
62 an election in every county for judges of the several circuit and
63 chancery court districts. The laws regulating the general
64 elections shall, except as otherwise provided for in Sections
65 23-15-974 through 23-15-985, apply to and govern elections of
66 judges of the circuit and chancery courts.

67 SECTION 5. The Attorney General of the State of Mississippi
68 shall submit this act, immediately upon approval by the Governor,
69 or upon approval by the Legislature subsequent to a veto, to the
70 Attorney General of the United States or to the United States
71 District Court for the District of Columbia in accordance with the
72 provisions of the Voting Rights Act of 1965, as amended and
73 extended.

74 SECTION 6. This act shall take effect and be in force from
75 and after the date it is effectuated under Section 5 of the Voting
76 Rights Act of 1965, as amended and extended, provided that Senate
77 Concurrent Resolution No. 540, 2001 Regular Session, is ratified
78 by the electorate.