

By: Representatives Rogers, Weathersby,
Moore (60th), Smith (59th)

To: Judiciary A

HOUSE BILL NO. 605
(As Sent to Governor)

1 AN ACT TO CODIFY SECTION 9-9-18, MISSISSIPPI CODE OF 1972, TO
2 ESTABLISH AN ADDITIONAL COUNTY COURT JUDGE FOR RANKIN COUNTY; TO
3 ESTABLISH AN ADDITIONAL COUNTY COURT JUDGE FOR MADISON COUNTY; AND
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** The following shall be codified as Section

7 9-9-18, Mississippi Code of 1972:

8 9-9-18. (1) In order to relieve the crowded condition of
9 the docket in the county court and in the youth court of Rankin
10 County and particularly to facilitate and make possible the trial
11 and disposition of the large number of causes on the docket and in
12 the youth court, there shall be two (2) county judges for Rankin
13 County, provided for and elected as herein set out.

14 (2) For the purposes of nomination and election, the two (2)
15 judgeships shall be separate and distinct, the presently existing
16 judgeship and its succession to be denominated for purposes of
17 appointment, nomination and election only as "Place One" and the
18 judgeship hereby created and its succession for said selfsame
19 purposes and none other to be designated as "Place Two." There
20 shall be no distinction whatsoever in the powers, duties and
21 emoluments of the two (2) offices of county judge, except that the
22 county judge of Rankin County who has been for the longest time
23 continuously a county judge of the county shall have the right to
24 assign causes, terms and dockets. Should neither judge of the
25 county court have served longer in office than the other, then
26 that judge of this county court who has been for the longest time
27 a member of The Mississippi Bar shall have the right to assign
28 causes, terms and dockets.



29 (3) While there shall be no limitation whatsoever upon the
30 powers and duties of the county judges other than as cast upon
31 them by the Constitution and laws of this state, the county court
32 of Rankin County may, in the discretion of the county judge who
33 has been for the longest time continuously a judge of the court,
34 be divided into civil, equity, criminal and youth court divisions
35 as a matter of convenience by the entry of an order upon the
36 minutes of the court.

37 (4) The initial holder of the additional judgeship created
38 by this section, or "Place Two," shall be elected in the regular
39 election of November 2002; candidates therefor shall qualify to
40 run not later than forty-five (45) days before that election. The
41 person elected shall begin the term of office in January of 2003
42 at the same time as county judges generally, and there shall be no
43 vacancy of the office before that time. The two (2) judges shall
44 otherwise be elected, and any vacancy in office filled, as
45 provided for county judges generally.

46 (5) The Board of Supervisors of Rankin County may, in its
47 discretion, set aside, appropriate and expend monies from the
48 general fund to be used in the payment of salaries of judges,
49 clerks, reporters, officers and employees of the youth court
50 division of the county court, including the related facilities of
51 the youth court division of the county court, and such funds shall
52 be expended for no other purposes. The county shall not be
53 reimbursed for the amount of any such levy provided for by this
54 section under the terms of the Homestead Exemption Law.

55 **SECTION 2.** (1) In order to relieve the crowded condition of
56 the docket in the county court and in the youth court of Madison
57 County and particularly to facilitate and make possible the trial
58 and disposition of the large number of causes on the docket and in
59 the youth court, there shall be two (2) county judges for Madison
60 County, provided for and elected as herein set out.



61 (2) For the purposes of nomination and election, the two (2)
62 judgeships shall be separate and distinct, the presently existing
63 judgeship and its succession to be denominated for purposes of
64 appointment, nomination and election only as "Place One" and the
65 judgeship hereby created and its succession for said selfsame
66 purposes and none other to be designated as "Place Two." There
67 shall be no distinction whatsoever in the powers, duties and
68 emoluments of the two (2) offices of county judge, except that the
69 county judge of Madison County who has been for the longest time
70 continuously a county judge of the county shall have the right to
71 assign causes, terms and dockets. Should neither judge of the
72 county court have served longer in office than the other, then
73 that judge of this county court who has been for the longest time
74 a member of The Mississippi Bar shall have the right to assign
75 causes, terms and dockets.

76 (3) While there shall be no limitation whatsoever upon the
77 powers and duties of the county judges other than as cast upon
78 them by the Constitution and laws of this state, the county court
79 of Madison County may, in the discretion of the county judge who
80 has been for the longest time continuously a judge of the court,
81 be divided into civil, equity, criminal and youth court divisions
82 as a matter of convenience by the entry of an order upon the
83 minutes of the court.

84 (4) The initial holder of the additional judgeship created
85 by this section, or "Place Two," shall be elected in the regular
86 election of November 2002; candidates therefor shall qualify to
87 run not later than forty-five (45) days before that election. The
88 person elected shall begin the term of office in January of 2003
89 at the same time as county judges generally, and there shall be no
90 vacancy of the office before that time. The two (2) judges shall
91 otherwise be elected, and any vacancy in office filled, as
92 provided for county judges generally.



93 (5) The Board of Supervisors of Madison County may, in its
94 discretion, set aside, appropriate and expend monies from the
95 general fund to be used in the payment of salaries of judges,
96 clerks, reporters, officers and employees of the youth court
97 division of the county court, including the related facilities of
98 the youth court division of the county court, and such funds shall
99 be expended for no other purposes. The county shall not be
100 reimbursed for the amount of any such levy provided for by this
101 section under the terms of the Homestead Exemption Law.

102 **SECTION 3.** The Attorney General of the State of Mississippi
103 shall submit this act, immediately upon approval by the Governor,
104 or upon approval by the Legislature subsequent to a veto, to the
105 Attorney General of the United States or to the United States
106 District Court for the District of Columbia in accordance with the
107 provisions of the Voting Rights Act of 1965, as amended and
108 extended.

109 **SECTION 4.** This act shall take effect and be in force from
110 and after the date it is effectuated under Section 5 of the Voting
111 Rights Act of 1965, as amended and extended.

