H. B. No. 660


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

SECTION 1. Section 23-15-197, Mississippi Code of 1972, is amended as follows:


(3) Times for holding elections for the office of county election commissioners shall be as prescribed in Section 23-15-213.

SECTION 2. Section 23-15-973, Mississippi Code of 1972, is amended as follows:

23-15-973. It shall be the duty of the judges of the circuit court to give a reasonable time and opportunity to the candidates for the office of * * * judges of the Court of Appeals, circuit judge and chancellor to address the people during court terms. In order to give further and every possible emphasis to the fact that...
the said judicial offices are not political but are to be held
without favor and with absolute impartiality as to all persons,
and because of the jurisdiction conferred upon the courts by this
chapter, the judges thereof should be as far removed as possible
from any political affiliations or obligations. It shall be
unlawful for any candidate for any of the offices mentioned in
this section to align himself with any candidate or candidates for
any other office or with any political faction or any political
party at any time during any primary or general election campaign.
Likewise it shall be unlawful for any candidate for any other
office nominated or to be nominated at any primary election,
wherein any candidate for any of the judicial offices in this
section mentioned, is or are to be nominated, to align himself
with any one or more of the candidates for said offices or to take
any part whatever in any nomination for any one or more of said
judicial offices, except to cast his individual vote. Any
candidate for any office, whether nominated with or without
opposition, at any primary wherein a candidate for any one of the
judicial offices herein mentioned is to be nominated who shall
deliberately, knowingly and willfully violate the provisions of
this section shall forfeit his nomination, or if elected at the
following general election by virtue of said nomination, his
election shall be void.

SECTION 3. Section 23-15-975, Mississippi Code of 1972, is
amended as follows:

of this subarticle, the term "judicial office" includes the office
of * * * judge of the Court of Appeals, circuit judge, chancellor,
county court judge and family court judge. All such * * * judges
shall be full-time positions and such * * * judges shall not
engage in the practice of law before any court, administrative
agency or other judicial or quasi-judicial forum except as
provided by law for finalizing pending cases after election to judicial office.

SECTION 4. Section 23-15-977, Mississippi Code of 1972, is amended as follows:

23-15-977. (1) All candidates for judicial office as defined in Section 23-15-975 of this subarticle shall file their intent to be a candidate with the proper officials not later than 5:00 p.m. on the first Friday after the first Monday in May prior to the general election for judicial office and shall pay to the proper officials the following amounts:

(a) Candidates for Court of Appeals judge, the sum of Two Hundred Dollars ($200.00).
(b) Candidates for circuit judge and chancellor, the sum of One Hundred Dollars ($100.00).
(c) Candidates for county judge and family court judge, the sum of Fifteen Dollars ($15.00).

(2) Candidates for judicial offices listed in paragraphs (a) and (b) of subsection (1) of this section shall file their intent to be a candidate with, and pay the proper assessment made pursuant to subsection (1) of this section to, the State Board of Election Commissioners.

(3) Candidates for judicial offices listed in paragraph (c) of subsection (1) of this section shall file their intent to be a candidate with, and pay the proper assessment made pursuant to subsection (1) of this section to, the circuit clerk of the proper county. The circuit clerk shall notify the county commissioners of election of all persons who have filed their intent to be a candidate filed with, and paid the proper assessment to, such clerk. Such notification shall occur within two (2) business days and shall contain all necessary information.

SECTION 5. Section 23-15-991, Mississippi Code of 1972, is amended as follows:
23-15-991. (1) The term of office of judges of the Supreme Court shall be eight (8) years. Concurrently with the regular election for representatives in Congress, held next preceding the expiration of the term of an incumbent, and likewise each eighth year thereafter, an election shall be held in the Supreme Court district from which such incumbent was elected at which there shall be elected a successor to the incumbent, whose term of office shall thereafter begin on the first Monday of January of the year in which the term of the incumbent he succeeds expires. At the end of the current terms of the judges of the Supreme Court, the Governor shall appoint a successor with the advice and consent of the Senate who shall serve for a term of eight (8) years and successors shall be retained or appointed with the advice and consent of the Senate from thereafter as provided in this section.

(2) In the year prior to the expiration of the term of an incumbent, and likewise each eighth year thereafter, an election shall be held at the general election in the Supreme Court district from which the incumbent Supreme Court judge was elected or appointed in which the qualified electors shall vote to retain or remove the judge. If a majority of the qualified electors vote in favor of retaining a judge, the judge shall serve for another term. If a majority of the qualified electors vote in favor of removing a judge, the judge shall serve until the end of the term and the Governor shall appoint a successor to the incumbent, whose term of office shall thereafter begin on the first Monday of January of the year in which the term of the incumbent he succeeds expires.

SECTION 6. Section 23-15-993, Mississippi Code of 1972, is amended as follows:

23-15-993. For the purpose of all appointments, each of the nine (9) judgeships of the Supreme Court shall be considered a separate office. The three (3) offices in each of the three (3)
SECTION 7. Section 23-15-995, Mississippi Code of 1972, which provides for the applicability of election laws to the election of judges of the Supreme court, is repealed.

SECTION 8. This act shall take effect and be in force from and after the date of ratification by the electorate of House Concurrent Resolution __, 2002 Regular Session.