

By: Senator(s) Turner

To: Judiciary

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2606

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 four (4) years; provided, however, that  
17 the terms of all chancellors elected at the regular election in  
18 November 2002 shall begin on the first day of January 2003, and  
19 their terms of office shall continue for six (6) years. A  
20 chancellor shall be a resident of the district in which he serves  
21 but shall not be required to be a resident of a subdistrict if the  
22 district is divided into subdistricts.

23 **SECTION 2.** Section 9-7-1, Mississippi Code of 1972, is  
24 amended as follows:

25 9-7-1. A circuit judge shall be elected for and from each  
26 circuit court district and the listing of individual precincts  
27 shall be those precincts as they existed on October 1, 1990. He  
28 may hold court in any other district with the consent of the judge



29 thereof, when in their opinion the public interest may require.  
30 The terms of all circuit judges hereafter elected shall begin on  
31 the first day of January 1931 and their terms of office shall  
32 continue for four (4) years; provided, however, that the terms of  
33 all circuit judges elected at the regular election in November  
34 2002 shall begin on the first day of January 2003, and their terms  
35 of office shall continue for six (6) years. A circuit judge shall  
36 be a resident of the district in which he or she serves but shall  
37 not be required to be a resident of a subdistrict if the district  
38 is divided into subdistricts.

39 **SECTION 3.** Section 9-9-1, Mississippi Code of 1972, is  
40 amended as follows:

41 9-9-1. (1) There shall be an inferior court to be known as  
42 the county court in and for each of the following counties:

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

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

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

57 (3) The provisions of this section shall not be construed so  
58 as to require that a county court be established in any county in  
59 which the board of supervisors has agreed and contracted with the  
60 board of supervisors of any other county or counties to support



61 and maintain one (1) county court for such counties as provided in  
62 Section 9-9-3.

63 **SECTION 4.** Section 23-15-1015, Mississippi Code of 1972, is  
64 amended as follows:

65 23-15-1015. On Tuesday after the first Monday in November  
66 1986, and every four (4) years thereafter and concurrently with  
67 the election for representatives in Congress, there shall be held  
68 an election in every county for judges of the several circuit and  
69 chancery court districts; provided, however, that the terms of  
70 judges of the several circuit and chancery court districts shall  
71 be eight (8) years beginning with the term commencing January  
72 2003. The laws regulating the general elections shall, except as  
73 otherwise provided for in Sections 23-15-974 through 23-15-985,  
74 apply to and govern elections of judges of the circuit and  
75 chancery courts.

76 **SECTION 5.** The Attorney General of the State of Mississippi  
77 shall submit this act, immediately upon approval by the Governor,  
78 or upon approval by the Legislature subsequent to a veto, to the  
79 Attorney General of the United States or to the United States  
80 District Court for the District of Columbia in accordance with the  
81 provisions of the Voting Rights Act of 1965, as amended and  
82 extended.

83 **SECTION 6.** This act shall take effect and be in force from  
84 and after the date it is effectuated under Section 5 of the Voting  
85 Rights Act of 1965, as amended and extended, provided that Senate  
86 Concurrent Resolution No. 543, 2002 Regular Session, is ratified  
87 by the electorate.

