

*****Adopted*****

AMENDMENT No. 5 TO AMENDMENT No. 1 PROPOSED TO

House Bill NO. 446

By Senator(s) Turner

1 **AMEND** by striking Section 14 in its entirety and renumber
2 subsequent section(s) accordingly.

3 **AMEND** by striking Section 21 and inserting in lieu thereof
4 the following and renumber subsequent section(s) accordingly:

5 **SECTION *.** Section 23-15-982, Mississippi Code of 1972, is
6 amended as follows:

7 23-15-982. (1) Majority of vote equals any excess of the
8 total vote for all candidates divided by the number of judgeships
9 to be filled divided by two (2).

10 If some or all candidates in a multijudge election do not
11 receive a majority of the vote, then candidates equal in number to
12 twice the number of remaining positions to be filled and having
13 the highest votes shall run in a runoff election. In such event,
14 if there is not a sufficient number of remaining candidates equal
15 to twice the number of remaining positions to be filled, then all
16 remaining candidates shall run in the runoff election.

17 (2) Any tie votes which require resolution to determine who
18 shall enter a runoff election shall be determined by the
19 commissioners of election in the manner prescribed by Sections
20 23-15-601 and 23-15-605.

21 Candidates equal to the remaining number of positions to be
22 filled who have the highest votes in the runoff election are
23 elected.

24 Any tie votes which must be determined in order to decide who
25 is elected as a result of a runoff election shall be determined by
26 the State Election Commission in the manner prescribed by Sections
27 23-15-601 and 23-15-605.

28 (3) The provisions of this section shall apply only to the
29 Sixteenth Circuit Court District.

30 **SECTION *.** Section 23-15-983, Mississippi Code of 1972, is
31 amended as follows:

32 23-15-983. At the general election, the candidates equal to
33 the number of positions to be filled and having the highest votes
34 shall be elected.

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

38 The provisions of this section shall apply only to the
39 Sixteenth Circuit Court District.

40 **FURTHER, AMEND the title to conform.**