

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 TO AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 605**

**By Senator(s) Blackmon, Ross**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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.