

By: Representative Snowden

To: Apportionment and
Elections; Judiciary A

HOUSE BILL NO. 311

1 AN ACT TO AMEND SECTIONS 23-15-297, 23-15-975, 23-15-976,
2 23-15-977 AND 23-15-995, MISSISSIPPI CODE OF 1972, TO REMOVE
3 JUDGES OF THE SUPREME COURT FROM THE NONPARTISAN JUDICIAL ELECTION
4 ACT; TO PLACE THE FILING FEE FOR CANDIDATES FOR THE OFFICE OF
5 JUDGES OF THE SUPREME COURT AND COURT OF APPEALS IN THE LAW
6 GOVERNING PARTY NOMINATIONS; TO PROVIDE THAT THE CANDIDATE FOR
7 JUDGE OF THE SUPREME COURT OR COURT OF APPEALS IN THE GENERAL
8 ELECTION RECEIVING THE MOST VOTES SHALL BE DECLARED THE WINNER;
9 TO REMOVE THE PROHIBITION AGAINST PARTIES CAMPAIGNING, ENDORSING
10 OR CONTRIBUTING TO JUDICIAL CANDIDATES; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 23-15-297, Mississippi Code of 1972, is
13 amended as follows:

14 23-15-297. All candidates upon entering the race for party
15 nominations for office shall first pay to the proper officer as
16 provided for in Section 23-15-299 for each primary election the
17 following amounts:

18 (a) Candidates for Governor not to exceed Three Hundred
19 Dollars (\$300.00).

20 (b) Candidates for Lieutenant Governor, Attorney
21 General, Secretary of State, State Treasurer, Auditor of Public
22 Accounts, Commissioner of Insurance, Commissioner of Agriculture
23 and Commerce, State Highway Commissioner and State Public Service
24 Commissioner, not to exceed Two Hundred Dollars (\$200.00).

25 (c) Candidates for district attorney, not to exceed One
26 Hundred Dollars (\$100.00).

27 (d) Candidates for state senator, state representative,
28 sheriff, chancery clerk, circuit clerk, tax assessor, tax
29 collector, county attorney, county superintendent of education and
30 board of supervisors, not to exceed Fifteen Dollars (\$15.00).



31 (e) Candidates for county surveyor, county coroner,
32 justice court judge and constable, not to exceed Ten Dollars
33 (\$10.00).

34 (f) Candidates for United States senator, not to exceed
35 Three Hundred Dollars (\$300.00).

36 (g) Candidates for United States representative, not to
37 exceed Two Hundred Dollars (\$200.00).

38 (h) Candidates for Supreme Court judge and judge of the
39 Court of Appeals, not to exceed Two Hundred Dollars (\$200.00).

40 **SECTION 2.** Section 23-15-975, Mississippi Code of 1972, is
41 amended as follows:

42 23-15-975. As used in Sections 23-15-974 through 23-15-985
43 of this subarticle, the term "judicial office" includes the office
44 of * * * circuit judge, chancellor, county court judge and family
45 court judge. All such justices and judges shall be full-time
46 positions and such justices and judges shall not engage in the
47 practice of law before any court, administrative agency or other
48 judicial or quasi-judicial forum except as provided by law for
49 finalizing pending cases after election to judicial office.

50 **SECTION 3.** Section 23-15-976, Mississippi Code of 1972, is
51 amended as follows:

52 23-15-976. A judicial office is a nonpartisan office and a
53 candidate for election thereto is prohibited from campaigning or
54 qualifying for such an office based on party affiliation. * * *

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

57 23-15-977. (1) All candidates for judicial office as
58 defined in Section 23-15-975 of this subarticle shall file their
59 intent to be a candidate with the proper officials not later than
60 5:00 p.m. on the first Friday after the first Monday in May prior
61 to the general election for judicial office and shall pay to the
62 proper officials the following amounts:

63 * * *



64 (a) Candidates for circuit judge and chancellor, the
65 sum of One Hundred Dollars (\$100.00).

66 (b) Candidates for county judge and family court judge,
67 the sum of Fifteen Dollars (\$15.00).

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

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

82 **SECTION 5.** Section 23-15-995, Mississippi Code of 1972, is
83 amended as follows:

84 23-15-995. * * * The general laws for the election of state
85 officers shall apply to and govern the election of judges of the
86 Court of Appeals and the Supreme Court except that in the general
87 election the candidate receiving the most votes shall be declared
88 the winner.

89 **SECTION 6.** The Attorney General of the State of Mississippi
90 shall submit this act, immediately upon approval by the Governor,
91 or upon approval by the Legislature subsequent to a veto, to the
92 Attorney General of the United States or to the United States
93 District Court for the District of Columbia in accordance with the
94 provisions of the Voting Rights Act of 1965, as amended and
95 extended.



96 **SECTION 7.** This act shall take effect and be in force from
97 and after the date it is effectuated under Section 5 of the Voting
98 Rights Act of 1965, as amended and extended.

