HOUSE BILL NO. 610

AN ACT TO AMEND SECTION 9-9-5, MISSISSIPPI CODE OF 1972, TO REVISE THE TERM OF OFFICE FOR COUNTY JUDGES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 9-9-5, Mississippi Code of 1972, is amended as follows:

9-9-5. (1) The county judge shall possess all of the qualifications of a circuit judge as prescribed by the Mississippi Constitution. In the event of the establishment of a county court by agreement between two (2) or more counties as provided in Section 9-9-3, the judge of said court may be a qualified elector of any one (1) of said counties, and shall have such other qualifications as provided for by law. The county judge shall be elected by the qualified electors of his county in the manner as circuit judges are elected and he shall hold office for six (6) years. Vacancies in the office of county judge shall be filled in the same manner as vacancies in the office of circuit judge.

(2) Provided, however, that in any county having a total population in excess of eleven thousand (11,000) according to the 1970 federal decennial census and a total assessed valuation of real and personal property of not less than Sixteen Million Dollars ($16,000,000.00) and not more than Seventeen Million Dollars ($17,000,000.00) and in which Mississippi Highway 4 and United States Highway 61 intersect, in which there is a vacancy in the post of county judge resulting from the failure of a candidate to qualify for that post, the board of supervisors of such county...
may, upon certification of such vacancy to the board, appoint a
county judge to serve out the term so vacated who shall be a
licensed attorney from such county or an adjoining county. The
compensation of such attorney shall be the same he would have
otherwise received if elected.

(3) In the event that any county wherein is located a state
hospital and wherein U.S. Highway 80 and Mississippi Highway 43
intersect shall establish a county court, the county judge of such
county shall be elected at the general election to be held on
Tuesday after the first Monday of November 1982, after qualifying
therefor as provided by law. Provided, however, that the board of
supervisors of such county may appoint a county judge who shall be
a licensed attorney from such county until the office of county
judge shall be filled pursuant to said election.

SECTION 2. The Attorney General of the State of Mississippi
shall submit this act, immediately upon approval by the Governor,
or upon approval by the Legislature subsequent to a veto, to the
Attorney General of the United States or to the United States
District Court for the District of Columbia in accordance with the
provisions of the Voting Rights Act of 1965, as amended and
extended.

SECTION 3. This act shall take effect and be in force from
and after the date it is effectuated under Section 5 of the Voting
Rights Act of 1965, as amended and extended.