

By: Representative Flaggs

To: Judiciary B

HOUSE BILL NO. 610

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

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

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

7 9-9-5. (1) The county judge shall possess all of the
8 qualifications of a circuit judge as prescribed by the Mississippi
9 Constitution. In the event of the establishment of a county court
10 by agreement between two (2) or more counties as provided in
11 Section 9-9-3, the judge of said court may be a qualified elector
12 of any one (1) of said counties, and shall have such other
13 qualifications as provided for by law. The county judge shall be
14 elected by the qualified electors of his county * * * in the
15 manner as circuit judges are elected and he shall hold office for
16 six (6) years. Vacancies in the office of county judge shall be
17 filled in the same manner as vacancies in the office of circuit
18 judge.

19 (2) Provided, however, that in any county having a total
20 population in excess of eleven thousand (11,000) according to the
21 1970 federal decennial census and a total assessed valuation of
22 real and personal property of not less than Sixteen Million
23 Dollars (\$16,000,000.00) and not more than Seventeen Million
24 Dollars (\$17,000,000.00) and in which Mississippi Highway 4 and
25 United States Highway 61 intersect, in which there is a vacancy in
26 the post of county judge resulting from the failure of a candidate
27 to qualify for that post, the board of supervisors of such county



28 may, upon certification of such vacancy to the board, appoint a
29 county judge to serve out the term so vacated who shall be a
30 licensed attorney from such county or an adjoining county. The
31 compensation of such attorney shall be the same he would have
32 otherwise received if elected.

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

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

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

