To: Apportionment and Elections; Judiciary A

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003

By: Representative Moak

HOUSE BILL NO. 1026

AN ACT TO AMEND SECTIONS 23-15-991 AND 23-15-993, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN TERMS IN CERTAIN SUPREME COURT DISTRICTS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-991, Mississippi Code of 1972, is amended as follows:

23-15-991. (1) Except as otherwise provided in subsection (2), the term of office of judges of the Supreme Court shall be eight (8) years. Concurrently with the regular election for representatives in Congress, held next preceding the expiration of the term of an incumbent, and likewise each eighth year thereafter, an election shall be held in the Supreme Court district from which such incumbent was elected at which there shall be elected a successor to the incumbent, whose term of office shall thereafter begin on the first Monday of January of the year in which the term of the incumbent he succeeds expires.

(2) The terms of office of judges of the Supreme Court in Supreme Court District Number 1, Position Number 1 and District Number 2, Position Number 1, shall be seven (7) years for the term 2004-2011. This subsection shall stand repealed on January 1, 2011.

SECTION 2. Section 23-15-993, Mississippi Code of 1972, is amended as follows:

23-15-993. For the purpose of all elections, each of the nine (9) judgeships of the Supreme Court shall be considered a separate office. The three (3) offices in each of the three (3) Supreme Court districts shall be designated Position Number 1,
Position Number 2 and Position Number 3, and in qualifying for office as a candidate for any office of judge of the Supreme Court each candidate shall state the position number of the office to which he aspires and the regular election ballots shall so indicate. In Supreme Court District Number 1: Position Number 1 shall be that office for which the term ends in January 2011; Position Number 2 shall be that office for which the term ends in January 1965; and Position Number 3 shall be that office for which the term ends in January 1969. In District Number 2: Position Number 1 shall be that office for which the term ends in January 2011; Position Number 2 shall be that office for which the term ends in January 1969; and Position Number 3 shall be for that office for which the term ends in January 1973. In District Number 3: Position Number 1 shall be that office for which the term ends in January 1969; Position Number 2 shall be that office for which the term ends in January 1969; and Position Number 3 shall be that office for which the term ends in January 1965.

SECTION 3. 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 4. 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; provided that House Concurrent Resolution No. ____, 2003 Regular Session is ratified by the electorate.