

By: Representative Banks

To: Judiciary B

HOUSE BILL NO. 1270

1 AN ACT TO AMEND SECTION 9-9-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A COUNTY COURT LOCATED IN A COUNTY HAVING A
3 POPULATION GREATER THAN 175,000 SHALL HAVE A JURISDICTIONAL LIMIT
4 OF \$100,000.00; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 9-9-21, Mississippi Code of 1972, is
7 amended as follows:

8 9-9-21. (1) The jurisdiction of the county court shall be
9 as follows: It shall have jurisdiction concurrent with the
10 justice court in all matters, civil and criminal of which the
11 justice court has jurisdiction; and it shall have jurisdiction
12 concurrent with the circuit and chancery courts in all matters of
13 law and equity wherein the amount of value of the thing in
14 controversy shall not exceed, exclusive of costs and interest, the
15 sum of Seventy-five Thousand Dollars (\$75,000.00); however, any
16 county having a population greater than one hundred seventy-five
17 thousand (175,000) according to the most recent federal decennial
18 census shall have jurisdiction over matters in equity wherein the
19 amount of value of the thing in controversy shall not exceed the
20 sum of One Hundred Thousand Dollars (\$100,000.00), and the
21 jurisdiction of the county court shall not be affected by any
22 setoff, counterclaim or cross-bill in such actions where the
23 amount sought to be recovered in such setoff, counterclaim or
24 cross-bill exceeds Seventy-five Thousand Dollars (\$75,000.00) or
25 One Hundred Thousand Dollars (\$100,000.00) where applicable.
26 Provided, however, the party filing such setoff, counterclaim or
27 cross-bill which exceeds Seventy-five Thousand Dollars
28 (\$75,000.00) or One Hundred Thousand Dollars (\$100,00.00) where



29 applicable shall give notice to the opposite party or parties as
30 provided in Section 13-3-83, and on motion of all parties filed
31 within twenty (20) days after the filing of such setoff,
32 counterclaim or cross-bill, the county court shall transfer the
33 case to the circuit or chancery court wherein the county court is
34 situated and which would otherwise have jurisdiction. It shall
35 have exclusively the jurisdiction heretofore exercised by the
36 justice court in the following matters and causes: namely,
37 eminent domain, the partition of personal property, and actions of
38 unlawful entry and detainer, provided that the actions of eminent
39 domain and unlawful entry and detainer may be returnable and
40 triable before the judge of said court in vacation.

41 (2) In the event of the establishment of a county court by
42 an agreement between two (2) or more counties as provided in
43 Section 9-9-3, it shall be lawful for such court sitting in one
44 (1) county to act upon any and all matters of which it has
45 jurisdiction as provided by law arising in the other county under
46 the jurisdiction of said court.

47 **SECTION 2.** This act shall take effect and be in force from
48 and after July 1, 2003.

