HOUSE BILL NO. 1341


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


SECTION 2. Section 23-15-845, Mississippi Code of 1972, is reenacted as follows:

23-15-845. Primary elections for the nomination of candidates to fill vacancies in the office of judge of the Supreme Court or of the Court of Appeals shall be held upon the same dates and concurrently with the primary elections for the nomination of candidates for the office or offices to be filled in the election at which such vacancies in the office of judge of the Supreme Court or of the Court of Appeals are to be filled.

SECTION 3. Section 23-15-847, Mississippi Code of 1972, is reenacted as follows:

23-15-847. At the primary election in the year in which an election shall be held pursuant to Section 23-15-849 to fill vacancies in the office of judge of the Supreme Court or Court of Appeals or circuit judge, or chancellor, vacancy nominations shall
be made for said offices in the manner as nominations are made for
the full term.

SECTION 4. Section 23-15-971, Mississippi Code of 1972, is
reenacted as follows:

23-15-971. Party primary elections for the nomination of
candidates for the office of circuit judge, and of chancellor, and
of judge of the Supreme Court and of judge of the Court of Appeals
shall be under the supervision and control of the State Executive
Committee of the respective political parties, which committees
shall discharge in connection with such elections all of the
duties imposed upon them in connection with elections for the
nomination of candidates for other state officers.

SECTION 5. Section 23-15-997, Mississippi Code of 1972, is
reenacted as follows:

23-15-997. Nominations of candidates for the office of judge
of the Supreme Court and judge of the Court of Appeals by any
political party shall be made by districts, and the primary
elections for that purpose shall be held concurrently with the
primary elections for the nomination of Representative in
Congress, except as may be herein otherwise provided. The general
primary election laws shall apply to and govern the nomination of
candidates for the office of judge of the Supreme Court insofar as
they may be applicable.

SECTION 6. Section 23-15-1013, Mississippi Code of 1972,
reenacted as follows:

23-15-1013. Nominations of candidates for the office of
circuit court judge and for the office of chancery court judge
shall be made in every county in their respective districts by
primary election to be held concurrently with the primary election
to be held for the nomination of Representatives in Congress in
2006 and every four (4) years thereafter. Primary elections for
the nominations of candidates for the offices of judge of the
circuit and chancery courts shall be held under the general
primary election laws of the state.

SECTION 7. Section 9-9-7, Mississippi Code of 1972, is
reenacted as follows:

9-9-7. Except where the judge is elected for less than the
full four-year term, he may be nominated in the regular judicial
primary elections at the same time when nominations for circuit
judges and chancellors are made.

SECTION 8. Section 9-4-5, Mississippi Code of 1972, is
amended as follows:

9-4-5. (1) The term of office of judges of the Court of
Appeals shall be eight (8) years. An election shall be held on
the first Tuesday after the first Monday in November 1994, to
elect the ten (10) judges of the Court of Appeals, two (2) from
each congressional district; provided, however, judges of the
Court of Appeals who are elected to take office after the first
Monday of January 2002, shall be elected from the Court of Appeals
Districts described in subsection (5) of this section. The judges
of the Court of Appeals shall begin service on the first Monday of

(2) (a) In order to provide that the offices of not more
than a majority of the judges of said court shall become vacant at
any one (1) time, the terms of office of six (6) of the judges
first to be elected shall expire in less than eight (8) years.
For the purpose of all elections of members of the court, each of
the ten (10) judges of the Court of Appeals shall be considered a
separate office. The two (2) offices in each of the five (5)
districts shall be designated Position Number 1 and Position
Number 2, and in qualifying for office as a candidate for any
office of judge of the Court of Appeals each candidate shall state
the position number of the office to which he aspires and the
election ballots shall so indicate.
(i) In Congressional District Number 1, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends January 1, 1999, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 2003.

(ii) In Congressional District Number 2, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends on January 1, 2003, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 2001.

(iii) In Congressional District Number 3, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends on January 1, 2001, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 1999.

(iv) In Congressional District Number 4, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends on January 1, 1999, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 2003.

(v) In Congressional District Number 5, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends on January 1, 2003, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 2001.

(b) The laws regulating the primary and general elections shall apply to and govern the elections of judges of the Court of Appeals.

(c) In the year prior to the expiration of the term of an incumbent, and likewise each eighth year thereafter, an election shall be held in the manner provided in this section in the district from which the incumbent Court of Appeals judge 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.

(3) No person shall be eligible for the office of judge of
the Court of Appeals who has not attained the age of thirty (30)
years at the time of his election and who has not been a
practicing attorney and citizen of the state for five (5) years
immediately preceding such election.

(4) Any vacancy on the Court of Appeals shall be filled by
appointment of the Governor for that portion of the unexpired term
prior to the election to fill the remainder of said term according

(5) (a) The State of Mississippi is hereby divided into
five (5) Court of Appeals Districts as follows:

FIRST DISTRICT. The First Court of Appeals District shall be
composed of the following counties and portions of counties:
Alcorn, Benton, Calhoun, Chickasaw, Choctaw, DeSoto, Itawamba,
Lafayette, Lee, Marshall, Monroe, Pontotoc, Prentiss, Tate,
Tippah, Tishomingo, Union, Webster and Yalobusha; in Grenada
County the precincts of Providence, Mt. Nebo, Hardy and Pea Ridge;
in Montgomery County the precincts of North Winona, Lodi, Stewart,
Nations and Poplar Creek; in Panola County the precincts of East
Sardis, South Curtis, Tocowa, Pope, Courtland, Cole's Point, North
Springport, South Springport, Eureka, Williamson, East Batesville
4, West Batesville 4, Fern Hill, North Batesville A, East
Batesville 5 and West Batesville 5; and in Tallahatchie County the
precincts of Teasdale, Enid, Springhill, Charleston Beat 1,
Charleston Beat 2, Charleston Beat 3, Paynes, Leverette, Cascilla,
Murphreesboro and Rosebloom.

SECOND DISTRICT. The Second Court of Appeals District shall
be composed of the following counties and portions of counties:
Bolivar, Carroll, Claiborne, Coahoma, Holmes, Humphreys,
Issaquena, Jefferson, Leflore, Quitman, Sharkey, Sunflower,
Tunica, Warren, Washington and Yazoo; in Attala County the precincts of Northeast, Hesterville, Possumneck, North Central, McAdams, Newport, Sallis and Southwest; that portion of Grenada County not included in the First Court of Appeals District; in Hinds County Precincts 11, 12, 13, 22, 23, 27, 28, 29, 30, 40, 41, 83, 84 and 85, and the precincts of Bolton, Brownsville, Cayuga, Chapel Hill, Cynthia, Edwards, Learned, Pine Haven, Pocahontas, St. Thomas, Tinnin, Utica 1 and Utica 2; in Leake County the precincts of Conway, West Carthage, Wiggins, Thomastown and Ofahoma; in Madison County the precincts of Farmhaven, Canton Precinct 2, Canton Precinct 3, Cameron Street, Canton Precinct 6, Bear Creek, Gluckstadt, Smith School, Magnolia Heights, Flora, Virlilia, Canton Precinct 5, Cameron, Couparle, Camden, Sharon, Canton Precinct 1 and Canton Precinct 4; that portion of Montgomery County not included in the First Court of Appeals District; that portion of Panola County not included in the First Court of Appeals District; and that portion of Tallahatchie County not included in the First Court of Appeals District.

THIRD DISTRICT. The Third Court of Appeals District shall be composed of the following counties and portions of counties: Clarke, Clay, Jasper, Kemper, Lauderdale, Lowndes, Neshoba, Newton, Noxubee, Oktibbeha, Rankin, Scott, Smith and Winston; that portion of Attala County not included in the Second Court of Appeals District; in Jones County the precincts of Northwest High School, Shady Grove, Sharon, Erata, Glade, Myrick School, Northeast High School, Rustin, Sandersville Civic Center, Tuckers, Antioch and Landrum; that portion of Leake County not included in the Second Court of Appeals District; that portion of Madison County not included in the Second Court of Appeals District; and in Wayne County the precincts of Big Rock, Yellow Creek, Hiwannee, Diamond, Chaparral, Matherville, Coit and Eucutta.

FOURTH DISTRICT. The Fourth Court of Appeals District shall be composed of the following counties and portions of counties:
Adams, Amite, Copiah, Covington, Franklin, Jefferson Davis, Lawrence, Lincoln, Marion, Pike, Simpson, Walthall and Wilkinson; that portion of Hinds County not included in the Second Court of Appeals District; and that portion of Jones county not included in the Third Court of Appeals District.

FIFTH DISTRICT. The Fifth Court of Appeals District shall be composed of the following counties and portions of counties: Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Pearl River, Perry and Stone; and that portion of Wayne County not included in the Third Court of Appeals District.

(b) The boundaries of the Court of Appeals Districts described in paragraph (a) of this subsection shall be the boundaries of the counties and precincts listed in paragraph (a) of this subsection as such boundaries existed on October 1, 1990.

SECTION 9. Section 9-4-15, Mississippi Code of 1972, is amended as follows:

9-4-15. Primary and general elections for the office of judge of the Court of Appeals shall be held at the same times as primary and general elections for congressional offices.

SECTION 10. Section 9-5-29, Mississippi Code of 1972, is amended as follows:

9-5-29. (1) There shall be four (4) chancellors for the Eighth Chancery Court District.

(2) For purposes of appointment, nomination and election, the four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four."

(3) While there shall be no limitation whatsoever upon the powers and duties of said chancellors other than as cast upon them by the Constitution and laws of this state, the court in the Eighth Chancery Court District, in the discretion of the senior chancellor, may be divided into four (4) divisions as a matter of
SECTION 11. Section 9-5-36, Mississippi Code of 1972, is amended as follows:

9-5-36. (1) There shall be three (3) chancellors for the Tenth Chancery Court District.

(2) For purposes of appointment, nomination and election, the three (3) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three," respectively. The chancellor to fill Place One shall be a resident of Forrest, Lamar, Marion, Pearl River or Perry County. The chancellor to fill Place Two shall be a resident of Lamar, Marion, Pearl River or Perry County. The chancellor to fill Place Three shall be a resident of Forrest County. Election of the three (3) offices of chancellor shall be by election to be held in every county within the Tenth Chancery Court District of Mississippi.

SECTION 12. Section 9-5-50, Mississippi Code of 1972, is amended as follows:

9-5-50. (1) There shall be three (3) chancellors for the Sixteenth Chancery Court District.

(2) For the purposes of appointment, nomination and election, the three (3) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three."

SECTION 13. Section 9-5-58, Mississippi Code of 1972, is amended as follows:

9-5-58. There shall be two (2) chancellors for the Twentieth Chancery Court District. For purposes of appointment, nomination and election the two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."
SECTION 14. Section 9-7-11, Mississippi Code of 1972, is amended as follows:

9-7-11. (1) There shall be four (4) circuit judges for the Second Circuit Court District.

(2) For the purposes of appointment, nomination and election the four (4) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four."

SECTION 15. Section 9-7-27, Mississippi Code of 1972, is amended as follows:

9-7-27. (1) The Eighth Circuit Court District shall be comprised of the following counties:

(a) Leake County;

(b) Neshoba County;

(c) Newton County; and

(d) Scott County.

(2) There shall be two (2) judges for the Eighth Circuit Court District. The initial term for the second judgeship created under this section shall begin on the effective date of Laws, 1997, ch. 378, and shall end at the same time as for circuit judges generally.

(3) For purposes of appointment, nomination and election, the two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 16. Section 9-7-46, Mississippi Code of 1972, is amended as follows:

9-7-46. (1) There shall be three (3) circuit judges for the Seventeenth Circuit Court District.

(2) For the purpose of appointment, nomination and election, the three (3) judgeships shall be separate and distinct, and one (1) judge shall be elected from Subdistrict 17-1 and two (2) judges shall be elected from Subdistrict 17-2.
SECTION 17. Section 9-7-51, Mississippi Code of 1972, is amended as follows:

9-7-51. (1) There shall be three (3) circuit judges for the Nineteenth Circuit Court District. For the purposes of appointment, nomination and election, the three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three."

(2) The senior judge of the Nineteenth Circuit Court District may divide the court of any county within the district into civil, criminal and appellate court divisions as a matter of convenience by the entry of an order upon the minutes of the court.

SECTION 18. Section 23-15-197, Mississippi Code of 1972, is amended as follows:


(2) Times for holding primary and general elections for the office of judge of the Supreme Court shall be as prescribed in Sections 23-15-991 and 23-15-997.

(3) Times for holding primary and general elections for the office of circuit court judge and the office of chancery court judge shall be as prescribed in Sections 23-10-1013 and 23-15-1015.

(4) Times for holding elections for the office of county election commissioners shall be as prescribed in Section 23-15-213.

SECTION 19. Section 23-15-297, Mississippi Code of 1972, is amended as follows:

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

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

(b) Candidates for Lieutenant Governor, Supreme Court
    Judge, Court of Appeals Judge, Attorney General, Secretary of
    State, State Treasurer, Auditor of Public Accounts, Commissioner
    of Insurance, Commissioner of Agriculture and Commerce, State
    Highway Commissioner and State Public Service Commissioner, not to
    exceed Two Hundred Dollars ($200.00).

(c) Candidates for district attorney, circuit judge and
    chancellor, not to exceed One Hundred Dollars ($100.00).

(d) Candidates for State Senator, State Representative, sheriff, chancery clerk, circuit clerk, tax assessor, tax
    collector, county attorney, county superintendent of education,
    county judge and board of supervisors, not to exceed Fifteen
    Dollars ($15.00).

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

(f) Candidates for United States Senator, not to exceed
    Three Hundred Dollars ($300.00).

(g) Candidates for United States Representative, not to
    exceed Two Hundred Dollars ($200.00).

SECTION 20. Section 23-15-359, Mississippi Code of 1972, is
amended as follows:

23-15-359. (1) The ballot shall contain the names of all
party nominees certified by the appropriate executive committee,
and independent and special election candidates who have timely
filed petitions containing the required signatures. A petition
requesting that an independent or special election candidate's
name be placed on the ballot for any office shall be filed as
provided for in subsection (3) or (4) of this section, as
appropriate, and shall be signed by not less than the following number of qualified electors:

(a) For an office elected by the state at large, not less than one thousand (1,000) qualified electors.

(b) For an office elected by the qualified electors of a Supreme Court district, not less than three hundred (300) qualified electors.

(c) For an office elected by the qualified electors of a congressional district, not less than two hundred (200) qualified electors.

(d) For an office elected by the qualified electors of a circuit or chancery court district, not less than one hundred (100) qualified electors.

(e) For an office elected by the qualified electors of a senatorial or representative district, not less than fifty (50) qualified electors.

(f) For an office elected by the qualified electors of a county, not less than fifty (50) qualified electors.

(g) For an office elected by the qualified electors of a supervisors district or justice court district, not less than fifteen (15) qualified electors.

(2) Unless the petition required above shall be filed as provided for in subsection (3) or (4) of this section, as appropriate, the name of the person requested to be a candidate, unless nominated by a political party, shall not be placed upon the ballot. The ballot shall contain the names of each candidate for each office, and such names shall be listed under the name of the political party such candidate represents as provided by law and as certified to the circuit clerk by the State Executive Committee of such political party. In the event such candidate qualifies as an independent as herein provided, he shall be listed on the ballot as an independent candidate.
(3) Petitions for offices described in paragraphs (a), (b),
(c) and (d) of subsection (1) of this section, and petitions for
offices described in paragraph (e) of subsection (1) of this
section for districts composed of more than one (1) county or
parts of more than one (1) county, shall be filed with the State
Board of Election Commissioners by no later than 5:00 p.m. on the
same date by which candidates for nominations in the political
party primary elections are required to pay the fee provided for

(4) Petitions for offices described in paragraphs (f) and
(g) of subsection (1) of this section, and petitions for offices
described in paragraph (e) of subsection (1) of this section for
districts composed of one (1) county or less, shall be filed with
the proper circuit clerk by no later than 5:00 p.m. on the same
date by which candidates for nominations in the political party
elections are required to pay the fee provided for in Section
23-15-297; provided, however, that no petition may be filed before
January 1 of the year in which the election for the office is
held. The circuit clerk shall notify the county commissioners of
election of all persons who have filed petitions with such clerk.
Such notification shall occur within two (2) business days and
shall contain all necessary information.

(5) The commissioners may also have printed upon the ballot
any local issue election matter that is authorized to be held on
the same date as the regular or general election pursuant to
Section 23-15-375; provided, however, that the ballot form of such
local issue must be filed with the commissioners of election by
the appropriate governing authority not less than sixty (60) days
previous to the date of the election.

(6) The provisions of this section shall not apply to
municipal elections • • •.

(7) Nothing in this section shall prohibit special elections
to fill vacancies in either house of the Legislature from being
held as provided in Section 23-15-851. In all elections conducted
under the provisions of Section 23-15-851, the commissioner shall
have printed on the ballot the name of any candidate who, not
having been nominated by a political party, shall have been
requested to be a candidate for any office by a petition filed
with said commissioner by 5:00 p.m. not less than ten (10) working
days prior to the election, and signed by not less than fifty (50)
qualified electors.

(8) The appropriate election commission shall determine
whether each candidate is a qualified elector of the state, state
district, county or county district they seek to serve, and
whether each candidate meets all other qualifications to hold the
office he is seeking or presents absolute proof that he will,
subject to no contingencies, meet all qualifications on or before
the date of the general or special election at which he could be
elected to office. The election commission also shall determine
whether any candidate has been convicted of any felony in a court
of this state, or has been convicted on or after December 8, 1992,
of any offense in another state which is a felony under the laws
of this state, or has been convicted of any felony in a federal
court on or after December 8, 1992. Excepted from the above are
convictions of manslaughter and violations of the United States
Internal Revenue Code or any violations of the tax laws of this
state, unless the offense also involved misuse or abuse of his
office or money coming into his hands by virtue of his office. If
the appropriate election commission finds that a candidate either
(a) is not a qualified elector, (b) does not meet all
qualifications to hold the office he seeks and fails to provide
absolute proof, subject to no contingencies, that he will meet the
qualifications on or before the date of the general or special
election at which he could be elected, or (c) has been convicted
of a felony as described in this subsection, and not pardoned,
then the name of such candidate shall not be placed upon the ballot.

(9) If after the deadline to qualify as a candidate for an office or after the time for holding any party primary for an office, there shall be only one (1) person who has duly qualified to be a candidate for the office in the general election, the name of such person shall be placed on the ballot; provided, however, that if there shall be not more than one (1) person duly qualified to be a candidate for each office on the general election ballot, the election for all offices on the ballot shall be dispensed with and the appropriate election commission shall declare each candidate elected without opposition if the candidate meets all the qualifications to hold the office as determined pursuant to a review by the commission in accordance with the provisions of subsection (8) of this section and if the candidate has filed all required campaign finance disclosure reports as required by Section 23-15-807.

(10) The petition required by this section may not be filed by using the Internet.

SECTION 21. Section 23-15-367, Mississippi Code of 1972, is amended as follows:

23-15-367. (1) Except as otherwise provided by * * *
subsection (2) of this section, the arrangement of the names of the candidates, and the order in which the titles of the various offices shall be printed, and the size, print and quality of paper of the official ballot is left to the discretion of the officer charged with printing the official ballot; but the arrangement need not be uniform.

(2) The titles for the various offices shall be listed in the following order:

(a) Candidates for national office;
(b) Candidates for statewide office;
(c) Candidates for state district office;
(d) Candidates for legislative office;

(e) Candidates for countywide office;

(f) Candidates for county district office.

The order in which the titles for the various offices are listed within each of the categories listed in this subsection is left to the discretion of the officer charged with printing the official ballot.

(3) It is the duty of the Secretary of State, with the approval of the Governor, to furnish the designated commissioner of each county a sample of the official ballot, not less than fifty-five (55) days prior to the election, the general form of which shall be followed as nearly as practicable.

SECTION 22. Section 23-15-801, Mississippi Code of 1972, is amended as follows:

23-15-801. (a) "Election" shall mean a general, special, primary or runoff election.

(b) "Candidate" shall mean an individual who seeks nomination for election, or election, to any elective office other than a federal elective office and for purposes of this article, an individual shall be deemed to seek nomination for election, or election:

(i) If such individual has received contributions aggregating in excess of Two Hundred Dollars ($200.00) or has made expenditures aggregating in excess of Two Hundred Dollars ($200.00) or for a candidate for the Legislature or any statewide or state district office, by the qualifying deadlines specified in Section 23-15-299 ** *, whichever occurs first; or

(ii) If such individual has given his or her consent to another person to receive contributions or make expenditures on behalf of such individual and if such person has received such contributions aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year, or has made such expenditures
aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year.

(c) "Political committee" shall mean any committee, party, club, association, political action committee, campaign committee or other groups of persons or affiliated organizations which receives contributions aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year or which makes expenditures aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year for the purpose of influencing or attempting to influence the action of voters for or against the nomination for election, or election, of one or more candidates, or balloted measures and shall, in addition, include each political party registered with the Secretary of State.

(d) "Affiliated organization" shall mean any organization which is not a political committee, but which directly or indirectly establishes, administers or financially supports a political committee.

(e) (i) "Contribution" shall include any gift, subscription, loan, advance or deposit of money or anything of value made by any person or political committee for the purpose of influencing any election for elective office or balloted measure;

(ii) "Contribution" shall not include the value of services provided without compensation by any individual who volunteers on behalf of a candidate or political committee; or the cost of any food or beverage for use in any candidate's campaign or for use by or on behalf of any political committee of a political party;

(iii) "Contribution to a political party" includes any gift, subscription, loan, advance or deposit of money or anything of value made by any person, political committee, or other organization to a political party and to any committee, subcommittee, campaign committee, political committee and other
groups of persons and affiliated organizations of the political party;

(iv) "Contribution to a political party" shall not include the value of services provided without compensation by any individual who volunteers on behalf of a political party or a candidate of a political party.

(f) (i) "Expenditure" shall include any purchase, payment, distribution, loan, advance, deposit, gift of money or anything of value, made by any person or political committee for the purpose of influencing any balloted measure or election for elective office; and a written contract, promise, or agreement to make an expenditure;

(ii) "Expenditure" shall not include any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate; or nonpartisan activity designed to encourage individuals to vote or to register to vote;

(iii) "Expenditure by a political party" includes 1. any purchase, payment, distribution, loan, advance, deposit, gift of money or anything of value, made by any political party and by any contractor, subcontractor, agent, and consultant to the political party; and 2. a written contract, promise, or agreement to make such an expenditure.

(g) The term "identification" shall mean:

(i) In the case of any individual, the name, the mailing address, and the occupation of such individual, as well as the name of his or her employer; and

(ii) In the case of any other person, the full name and address of such person.

(h) The term "political party" shall mean an association, committee or organization which nominates a candidate for election
to any elective office whose name appears on the election ballot
as the candidate of such association, committee or organization.

(i) The term "person" shall mean any individual, family,
firm, corporation, partnership, association or other legal entity.

(j) The term "independent expenditure" shall mean an
expenditure by a person expressly advocating the election or
defeat of a clearly identified candidate which is made without
cooperation or consultation with any candidate or any authorized
committee or agent of such candidate, and which is not made in
concert with or at the request or suggestion of any candidate or
any authorized committee or agent of such candidate.

(k) The term "clearly identified" shall mean that:

(i) The name of the candidate involved appears; or

(ii) A photograph or drawing of the candidate appears;

or

(iii) The identity of the candidate is apparent by

unambiguous reference.

SECTION 23. Section 23-15-807, Mississippi Code of 1972, is
amended as follows:

23-15-807. (a) Each candidate or political committee shall
file reports of contributions and disbursements in accordance with
the provisions of this section. All candidates or political
committees required to report may terminate its obligation to
report only upon submitting a final report that it will no longer
receive any contributions or make any disbursement and that such
candidate or committee has no outstanding debts or obligations.
The candidate, treasurer or chief executive officer shall sign
each such report.

(b) Candidates who are seeking election, or nomination for
election, and political committees that make expenditures for the
purpose of influencing or attempting to influence the action of
voters for or against the nomination for election, or election, of
one or more candidates or balloted measures at such election,
shall file the following reports:

(i) In any calendar year during which there is a
regularly scheduled election, a pre-election report, which shall be
filed no later than the seventh day before any election in which
such candidate or political committee has accepted contributions
or made expenditures and which shall be complete as of the tenth
day before such election;

(ii) In 1987 and every fourth year thereafter, periodic
reports, which shall be filed no later than the tenth day after
April 30, May 31, June 30, September 30 and December 31, and which
shall be complete as of the last day of each period; and

(iii) In any calendar years except 1987 and except
every fourth year thereafter, a report covering the calendar year
which shall be filed no later than January 31 of the following
calendar year.

(c) All candidates for judicial office ..., or their
political committees, shall file in the year in which they are to
be elected, periodic reports which shall be filed no later than
the tenth day after April 30, May 31, June 30, September 30 and
December 31.

(d) Contents of reports. Each report under this article
shall disclose:

(i) For the reporting period and the calendar year, the
total amount of all contributions and the total amount of all
expenditures of the candidate or reporting committee which shall
include those required to be identified pursuant to item (ii) of
this paragraph as well as the total of all other contributions and
expenditures during the calendar year. Such reports shall be
cumulative during the calendar year to which they relate;

(ii) The identification of:

1. Each person or political committee who makes a
contribution to the reporting candidate or political committee
during the reporting period, whose contribution or contributions within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars ($200.00) together with the date and amount of any such contribution;

2. Each person or organization, candidate or political committee who receives an expenditure, payment or other transfer from the reporting candidate, political committee or its agent, employee, designee, contractor, consultant or other person or persons acting in its behalf during the reporting period when the expenditure, payment or other transfer to such person, organization, candidate or political committee within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars ($200.00) together with the date and amount of such expenditure;

(iii) The total amount of cash on hand of each reporting candidate and reporting political committee;

(iv) In addition to the contents of reports specified in items (i), (ii) and (iii) of this paragraph, each political party shall disclose:

1. Each person or political committee who makes a contribution to a political party during the reporting period and whose contribution or contributions to a political party within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars ($200.00), together with the date and amount of the contribution;

2. Each person or organization who receives an expenditure by a political party or expenditures by a political party during the reporting period when the expenditure or expenditures to the person or organization within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars ($200.00), together with the date and amount of the expenditure.
(e) The appropriate office specified in Section 23-15-805 must be in actual receipt of the reports specified in this article by 5:00 p.m. on the dates specified in paragraph (b) of this section. If the date specified in paragraph (b) of this section shall fall on a weekend or legal holiday then the report shall be due in the appropriate office at 5:00 p.m. on the first working day before the date specified in paragraph (b) of this section. The reporting candidate or reporting political committee shall ensure that the reports are delivered to the appropriate office by the filing deadline. The Secretary of State may approve specific means of electronic transmission of completed campaign finance disclosure reports, which may include, but not be limited to, transmission by electronic facsimile (FAX) devices.

(f) (i) If any contribution of more than Two Hundred Dollars ($200.00) is received by a candidate or candidate's political committee after the tenth day, but more than forty-eight (48) hours before 12:01 a.m. of the day of the election, the candidate or political committee shall notify the appropriate office designated in Section 23-15-805, within forty-eight (48) hours of receipt of the contribution. The notification shall include:

1. The name of the receiving candidate;
2. The name of the receiving candidate's political committee, if any;
3. The office sought by the candidate;
4. The identification of the contributor;
5. The date of receipt;
6. The amount of the contribution;
7. If the contribution is in-kind, a description of the in-kind contribution; and
8. The signature of the candidate or the treasurer or director of the candidate's political committee;
(ii) The notification shall be in writing, and may be transmitted by overnight mail, courier service, or other reliable means, including electronic facsimile (FAX), but the candidate or candidate's committee shall ensure that the notification shall in fact be received in the appropriate office designated in Section 23-15-805 within forty-eight (48) hours of the contribution.

**SECTION 24.** Section 23-15-973, Mississippi Code of 1972, is amended as follows:

- 23-15-973. It shall be the duty of the judges of the circuit court to give a reasonable time and opportunity to the candidates for the office of judge of the Supreme Court, judges of the Court of Appeals, circuit judge and chancellor to address the people during court terms. In order to give further and every possible emphasis to the fact that the said judicial offices are not political but are to be held without favor and with absolute impartiality as to all persons, and because of the jurisdiction conferred upon the courts by this chapter, the judges thereof should be as far removed as possible from any political affiliations or obligations within their party. It shall be unlawful for any candidate for any of the offices mentioned in this section to align himself with any candidate or candidates for any other office or with any political faction within his party at any time during any primary or general election campaign. Likewise it shall be unlawful for any candidate for any other office nominated or to be nominated at any primary election, wherein any candidate for any of the judicial offices in this section mentioned, is or are to be nominated, to align himself with any one or more of the candidates for said offices or to take any part whatever in any nomination for any one or more of said judicial offices, except to cast his individual vote. Any candidate for any office, whether nominated with or without opposition, at any primary wherein a candidate for any one of the judicial offices herein mentioned is to be nominated who shall
deliberately, knowingly and willfully violate the provisions of this section shall forfeit his nomination, or if elected at the following general election by virtue of said nomination, his election shall be void.

**SECTION 25.** Section 23-15-993, Mississippi Code of 1972, is amended as follows:

23-15-993. For the purpose of all elections, including primary 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 both the primary and 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 1966; 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 1972; 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 26.** Section 23-15-995, Mississippi Code of 1972, is amended as follows:

23-15-995. Except as may be otherwise provided * * *, the general laws for the election of state officers shall apply to and govern the election of judges of the Supreme Court.
SECTION 27. Section 23-15-1015, Mississippi Code of 1972, is amended as follows:

23-15-1015. On Tuesday after the first Monday in November 1986, and every four (4) years thereafter and concurrently with the election for representatives in Congress, there shall be held an election in every county for judges of the several circuit and chancery court districts; provided, however, that the terms of judges of the several circuit and chancery court districts shall be six (6) years beginning with the term commencing January 2003. The laws regulating the general elections shall, in all respects, apply to and govern elections of judges of the circuit and chancery courts.

SECTION 28. 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 29. This act shall take effect and be in force from and after July 1, 2003, if it is effectuated on or before that date under Section 5 of the Voting Rights Act of 1965, as amended and extended. If it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, after July 1, 2003, 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.