

By: Senator(s) Chaney

To: Elections

SENATE BILL NO. 2319

1 AN ACT TO AMEND SECTION 23-15-981, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT IN AN ELECTION FOR JUDICIAL OFFICE IN WHICH NO
3 CANDIDATE RECEIVES A MAJORITY VOTE, THAT THE CANDIDATE WHO
4 RECEIVES THE HIGHEST NUMBER OF VOTES IN THE GENERAL ELECTION SHALL
5 BE DECLARED ELECTED IF THE CANDIDATE WHO RECEIVES THE SECOND
6 HIGHEST NUMBER OF VOTES IN THE GENERAL ELECTION FOR ANY REASON
7 DECLINES TO ENTER THE SECOND ELECTION; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 23-15-981, Mississippi Code of 1972, is
10 amended as follows:

11 23-15-981. If two (2) or more candidates qualify for
12 judicial office, the names of those candidates shall be placed on
13 the general election ballot. If any candidate for such an office
14 receives a majority of the votes cast for such office in the
15 general election, he shall be declared elected. If no candidate
16 for such office receives a majority of the votes cast for such
17 office in the general election, the names of the two (2)
18 candidates receiving the highest number of votes for such office
19 shall be placed on the ballot for a second election to be held two
20 (2) weeks later in accordance with appropriate procedures followed
21 in other elections involving runoff candidates. If the candidate
22 who received the second highest number of votes cast for judicial
23 office in the general election for any reason declines to enter
24 the second election, then the candidate for judicial office who
25 received the highest number of votes cast in the general election
26 shall be declared elected.

27 **SECTION 2.** The Attorney General of the State of Mississippi
28 shall submit this act, immediately upon approval by the Governor,
29 or upon approval by the Legislature subsequent to a veto, to the



30 Attorney General of the United States or to the United States
31 District Court for the District of Columbia in accordance with the
32 provisions of the Voting Rights Act of 1965, as amended and
33 extended.

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

