SENATE BILL NO. 2576

AN ACT TO AMEND SECTION 9-7-32, MISSISSIPPI CODE OF 1972, TO REPEAL RUNNING IN THE HERD FOR THE JUDGES OF THE TENTH CIRCUIT COURT DISTRICT; TO AMEND SECTIONS 23-15-982 AND 23-15-983, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 9-7-32, Mississippi Code of 1972, is amended as follows:

9-7-32. (1) There shall be two (2) judges for the Tenth Circuit Court District.

(2) For purposes of appointment 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 2. Section 23-15-982, Mississippi Code of 1972, is amended as follows:

23-15-982. (1) Majority of vote equals any excess of the total vote for all candidates divided by the number of judgeships to be filled divided by two (2).

If some or all candidates in a multijudge election do not receive a majority of the vote, then candidates equal in number to twice the number of remaining positions to be filled and having the highest votes shall run in a runoff election. In such event, if there is not a sufficient number of remaining candidates equal to twice the number of remaining positions to be filled, then all remaining candidates shall run in the runoff election.

(2) Any tie votes which require resolution to determine who shall enter a runoff election shall be determined by the

Candidates equal to the remaining number of positions to be filled who have the highest votes in the runoff election are elected.

Any tie votes which must be determined in order to decide who is elected as a result of a runoff election shall be determined by the State Election Commission in the manner prescribed by Sections 23-15-601 and 23-15-605.

(3) The provisions of this section shall apply only to districts and subdistricts which are multijudge districts except for the Eighth, Tenth, Sixteenth and Twentieth Chancery Court Districts and the Second, Eighth, Tenth and Nineteenth Circuit Court Districts.

SECTION 3. Section 23-15-983, Mississippi Code of 1972, is amended as follows:

23-15-983. At the general election, the candidates equal to the number of positions to be filled and having the highest votes shall be elected.

Any tie votes in the general election which must be resolved in order to determine who is elected shall be resolved in the manner prescribed by Sections 23-15-601 and 23-15-605.

The provisions of this section shall apply only to districts and subdistricts which are multijudge districts except for the Eighth, Tenth, Sixteenth and Twentieth Chancery Court Districts and the Second, Eighth, Tenth and Nineteenth Circuit Court Districts.

SECTION 4. This act shall take effect and be in force from and after July 1, 2003.