

By: Senator(s) Chaney, Nunnelee

To: Elections

SENATE BILL NO. 2692

1 AN ACT TO AMEND SECTION 23-15-1037, MISSISSIPPI CODE OF 1972,
 2 TO REDISTRIBUTE THE CONGRESSIONAL DISTRICTS OF THE STATE IN
 3 CONFORMITY WITH THE ORDER OF THE UNITED STATES DISTRICT COURT FOR
 4 THE SOUTHERN DISTRICT OF MISSISSIPPI IN THE CASE OF SMITH V.
 5 CLARK, CIVIL ACTION NO. 3:01-CV-855WS; TO REPEAL SECTION
 6 23-15-1039, MISSISSIPPI CODE OF 1972, WHICH PROVIDES HOW
 7 REPRESENTATIVES SHALL BE CHOSEN SHOULD AN ELECTION OF
 8 REPRESENTATIVES IN CONGRESS OCCUR AFTER THE NUMBER OF
 9 REPRESENTATIVES TO WHICH THE STATE IS ENTITLED SHALL BE CHANGED,
 10 IN CONSEQUENCE OF A NEW APPORTIONMENT BEING MADE BY CONGRESS, AND
 11 BEFORE THE DISTRICTS SHALL HAVE BEEN CHANGED TO CONFORM TO THE NEW
 12 APPORTIONMENT; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Section 23-15-1037, Mississippi Code of 1972, is
 15 amended as follows:

16 23-15-1037. (1) The State of Mississippi is hereby divided
 17 into five (5) congressional districts as follows:

18 FIRST DISTRICT. The First Congressional District shall be
 19 composed of the following counties and portions of counties:

20 Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, DeSoto,
 21 Grenada, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe,
 22 Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Union, * * *
 23 Yalobusha; * * * that portion of Webster County not in the Third
 24 Congressional District; and in Winston County the Precinct of Gum
 25 Branch.

26 SECOND DISTRICT. The Second Congressional District shall be
 27 composed of the following counties and portions of counties:

28 Attala, Bolivar, Carroll, Claiborne, Coahoma, Copiah, Holmes,
 29 Humphreys, Issaquena, Jefferson, Leflore, Montgomery, Quitman,
 30 Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington,
 31 Yazoo; * * * in Hinds County Precincts 1, 10, 11, 12, 13, 15, 16,
 32 18, 19, 2, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 38, 39,



33 4, 40, 41, 42, 43, 47, 5, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59,
34 6, 60, 61, 62, 63, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76,
35 77, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94,
36 95, 96, and 97, and the precincts of Bolton, Brownsville, Byram 1,
37 Byram 2, Cayuga, Chapel Hill, Clinton 1, Clinton 2, Clinton 3,
38 Clinton 4, Clinton 5, Clinton 6, Cynthia, Dry Grove, Edwards,
39 Jackson State, Learned, Old Bryam, Pine Haven, Pocahontas, Raymond
40 1, Raymond 2, Spring Ridge, St. Thomas, Terry, Tinnin, Utica 1 and
41 Utica 2; in Leake County the precincts of Conway, East Carthage,
42 North Carthage, Ofahoma, Singleton, South Carthage, Thomastown,
43 West Carthage and Wiggins; in Madison County the precincts
44 of * * * Bible Church, Camden, Cameron, Canton Precinct 7, Canton
45 Precinct 1, Canton Precinct 2, Canton Precinct 3, Canton Precinct
46 4, Canton Precinct 5, Couparle, Gluckstadt, Liberty, Luther
47 Branson School, Madison County Baptist Family Life Center,
48 Magnolia Heights, New Industrial Park, Sharon, Tougaloo, and
49 Virililia * * *.

50 THIRD DISTRICT. The Third Congressional District shall be
51 composed of the following counties and portions of counties:
52 Adams, Amite, Covington, Franklin, * * * Jefferson Davis, Kemper,
53 Lauderdale, Lawrence, Lincoln, * * * Neshoba, Newton, Noxubee,
54 Oktibbeha, Pike, Rankin, Scott, Simpson, Smith, Walthall,
55 Wilkinson * * *; that portion of Hinds County not included in the
56 Second Congressional District; in Jasper County the precincts of
57 Bay Springs Beat 3, Bay Springs Beat 4, Garlandville, Holders
58 Church, Louin and Montrose; in Jones County the precincts of
59 Bruce, Centerville and Hebron * * *; that portion of Leake County
60 not included in the Second Congressional District; that portion of
61 Madison County not included in the Second Congressional
62 District; * * * in Marion County the precincts of Broom, Carley,
63 Cedar Grove, Darbun, Foxworth, Goss, Kokomo, Morgantown, Pittman,
64 Stovall and White Bluff; in Webster County the precinct of Maben;



65 and that portion of Winston County not included in the First
66 Congressional District.

67 FOURTH DISTRICT. The Fourth Congressional District shall be
68 composed of the following counties and portions of counties:
69 Clarke, Forrest, George, Greene, Hancock, Harrison, Jackson,
70 Lamar, Pearl River, Perry, Stone, Wayne; that portion of Jasper
71 County not included in the Third Congressional District; * * *
72 that portion of Jones County not included in the Third
73 Congressional District; and that portion of Marion County not
74 included in the Third Congressional District.

75 * * *

76 (2) The boundaries of the congressional districts described
77 in subsection (1) of this section shall be the boundaries of the
78 counties along such congressional district boundaries as the
79 boundaries of such counties existed on January 1, 2003, and the
80 precinct boundaries along such congressional district boundaries
81 as such precinct boundaries are contained in Census 2000
82 redistricting maps (Public Law 94-171) TIGER line file.

83 **SECTION 2.** Section 23-15-1039, Mississippi Code of 1972,
84 which provides how representatives shall be chosen should an
85 election of representatives in Congress occur after the number of
86 representatives to which the state is entitled shall be changed,
87 in consequence of a new apportionment being made by Congress, and
88 before the districts shall have been changed to conform to the new
89 apportionment, is repealed.

90 **SECTION 3.** The Attorney General of the State of Mississippi
91 shall submit this act, immediately upon approval by the Governor,
92 or upon approval by the Legislature subsequent to a veto, to the
93 Attorney General of the United States or to the United States
94 District Court for the District of Columbia in accordance with the
95 provisions of the Voting Rights Act of 1965, as amended and
96 extended.



97 **SECTION 4.** This act shall take effect and be in force from
98 and after the date it is effectuated under Section 5 of the Voting
99 Rights Act of 1965, as amended and extended.

