SENATE BILL NO. 2692

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

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

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

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

FIRST DISTRICT. The First Congressional District shall be composed of the following counties and portions of counties: Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, DeSoto, Grenada, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Union, * * * Yalobusha; * * * that portion of Webster County not in the Third Congressional District; and in Winston County the Precinct of Gum Branch.

SECOND DISTRICT. The Second Congressional District shall be composed of the following counties and portions of counties: Attala, Bolivar, Carroll, Claiborne, Coahoma, Copiah, Holmes, Humphreys, Issaquena, Jefferson, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington, Yazoo; * * * in Hinds County Precincts 1, 10, 11, 12, 13, 15, 16, 18, 19, 2, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 38, 39,
and the precincts of Bolton, Brownsville, Byram 1, Byram 2, Cayuga, Chapel Hill, Clinton 1, Clinton 2, Clinton 3, Clinton 4, Clinton 5, Clinton 6, Cynthia, Dry Grove, Edwards, Jackson State, Learned, Old Bryan, Pine Haven, Pocahontas, Raymond 1, Raymond 2, Spring Ridge, St. Thomas, Terry, Tinnin, Utica 1 and Utica 2; in Leake County the precincts of Conway, East Carthage, North Carthage, Ofahoma, Singleton, South Carthage, Thomastown, West Carthage and Wiggins; in Madison County the precincts of * * * Bible Church, Camden, Cameron, Canton Precinct 7, Canton Precinct 1, Canton Precinct 2, Canton Precinct 3, Canton Precinct 4, Canton Precinct 5, Couparle, Gluckstadt, Liberty, Luther Branson School, Madison County Baptist Family Life Center, Magnolia Heights, New Industrial Park, Sharon, Tougaloo, and Virlilia * * *

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

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

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

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

SECTION 3. 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 4. 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.