

By: Representative Holland

To: Judiciary A;  
Apportionment and Elections

HOUSE BILL NO. 548

1 AN ACT TO AMEND SECTION 9-5-7, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE FOR POSTS IN THE FIRST CHANCERY COURT DISTRICT; TO AMEND  
3 SECTION 9-7-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR POSTS IN  
4 THE FIRST CIRCUIT COURT DISTRICT; TO AMEND SECTIONS 23-15-982 AND  
5 23-15-983, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND  
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 9-5-7, Mississippi Code of 1972, is  
9 amended as follows:

10 9-5-7. (1) There shall be three (3) chancellors for the  
11 First Chancery Court District.

12 (2) For the purposes of appointment and election the three  
13 (3) judgeships shall be separate and distinct and denominated for  
14 purposes of appointment and election only as "Place One," "Place  
15 Two" and "Place Three."

16 **SECTION 2.** Section 9-7-7, Mississippi Code of 1972, is  
17 amended as follows:

18 9-7-7. (1) There shall be three (3) judges for the First  
19 Circuit Court District.

20 (2) For the purposes of appointment and election the three  
21 judgeships shall be separate and distinct and denominated for  
22 purposes of appointment and election only as "Place One," "Place  
23 Two" and "Place Three."

24 **SECTION 3.** Section 23-15-982, Mississippi Code of 1972, is  
25 amended as follows:

26 23-15-982. (1) Majority of vote equals any excess of the  
27 total vote for all candidates divided by the number of judgeships  
28 to be filled divided by two (2).

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

36           (2) Any tie votes which require resolution to determine who  
37 shall enter a runoff election shall be determined by the  
38 commissioners of election in the manner prescribed by Sections  
39 23-15-601 and 23-15-605.

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

43           Any tie votes which must be determined in order to decide who  
44 is elected as a result of a runoff election shall be determined by  
45 the State Election Commission in the manner prescribed by Sections  
46 23-15-601 and 23-15-605.

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

52           **SECTION 4.** Section 23-15-983, Mississippi Code of 1972, is  
53 amended as follows:

54           23-15-983. At the general election, the candidates equal to  
55 the number of positions to be filled and having the highest votes  
56 shall be elected.

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

60           The provisions of this section shall apply only to districts  
61 and subdistricts which are multijudge districts except for the

62 First, Eighth, Tenth, Sixteenth and Twentieth Chancery Court  
63 Districts and the First, Second, Eighth and Nineteenth Circuit  
64 Court Districts.

65         **SECTION 5.** The Attorney General of the State of Mississippi  
66 shall submit this act, immediately upon approval by the Governor,  
67 or upon approval by the Legislature subsequent to a veto, to the  
68 Attorney General of the United States or to the United States  
69 District Court for the District of Columbia in accordance with the  
70 provisions of the Voting Rights Act of 1965, as amended and  
71 extended.

72         **SECTION 6.** This act shall take effect and be in force from  
73 and after the date it is effectuated under Section 5 of the Voting  
74 Rights Act of 1965, as amended and extended.