

By: Representative Frierson

To: Judiciary A;  
Appropriations

HOUSE BILL NO. 1271

1 AN ACT TO AMEND SECTION 9-7-42, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE AN ADDITIONAL JUDGE FOR THE FIFTEENTH CIRCUIT COURT  
3 DISTRICT; TO AMEND SECTIONS 23-15-982 AND 23-15-983, MISSISSIPPI  
4 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR  
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 9-7-42, Mississippi Code of 1972, is  
8 amended as follows:

9 9-7-42. (1) There shall be three (3) judges for the  
10 Fifteenth Circuit Court District.

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

15 **SECTION 2.** Section 23-15-982, Mississippi Code of 1972, is  
16 amended as follows:

17 23-15-982. (1) Majority of vote equals any excess of the  
18 total vote for all candidates divided by the number of judgeships  
19 to be filled divided by two (2).

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

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

29 commissioners of election in the manner prescribed by Sections  
30 23-15-601 and 23-15-605.

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

34 Any tie votes which must be determined in order to decide who  
35 is elected as a result of a runoff election shall be determined by  
36 the State Election Commission in the manner prescribed by Sections  
37 23-15-601 and 23-15-605.

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

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

45 23-15-983. At the general election, the candidates equal to  
46 the number of positions to be filled and having the highest votes  
47 shall be elected.

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

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

56 **SECTION 4.** The Attorney General of the State of Mississippi  
57 is hereby directed to submit this act, immediately upon approval  
58 by the Governor, or upon approval by the Legislature subsequent to  
59 a veto, to the Attorney General of the United States or to the  
60 United States District Court for the District of Columbia in

61 accordance with the provisions of the Voting Rights Act of 1965,  
62 as amended and extended.

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