SENATE BILL NO. 2205

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

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

6   **SECTION 1.** Section 9-7-32, Mississippi Code of 1972, is

7 amended as follows:

8   9-7-32. (1) There shall be two (2) judges for the Tenth

9 Circuit Court District.

10   (2) For purposes of appointment and election, the two (2)

11 judgeships shall be separate and distinct and denominated for

12 purposes of appointment and election only as "Place One" and

13 "Place Two."

14   **SECTION 2.** Section 23-15-982, Mississippi Code of 1972, is

15 amended as follows:

16   23-15-982. (1) Majority of vote equals any excess of the

17 total vote for all candidates divided by the number of judgeships

18 to be filled divided by two (2).

19   If some or all candidates in a multijudge election do not

20 receive a majority of the vote, then candidates equal in number to

21 twice the number of remaining positions to be filled and having

22 the highest votes shall run in a runoff election. In such event,

23 if there is not a sufficient number of remaining candidates equal

24 to twice the number of remaining positions to be filled, then all

25 remaining candidates shall run in the runoff election.

26   (2) Any tie votes which require resolution to determine who

27 shall enter a runoff election shall be determined by the

28 commissioners of election in the manner prescribed by Sections

29 23-15-601 and 23-15-605.

30   Candidates equal to the remaining number of positions to be

31 filled who have the highest votes in the runoff election are

32 elected.

33   Any tie votes which must be determined in order to decide who

34 is elected as a result of a runoff election shall be determined by

35 the State Election Commission in the manner prescribed by Sections

36 23-15-601 and 23-15-605.

37   (3) The provisions of this section shall apply only to

38 districts and subdistricts which are multijudge districts except

39 for the Eighth, Tenth, Sixteenth and Twentieth Chancery Court

40 Districts and the Second, Eighth, Tenth and Nineteenth Circuit

41 Court Districts.

42   **SECTION 3.** Section 23-15-983, Mississippi Code of 1972, is

43 amended as follows:

44   23-15-983. At the general election, the candidates equal to

45 the number of positions to be filled and having the highest votes

46 shall be elected.

47   Any tie votes in the general election which must be resolved

48 in order to determine who is elected shall be resolved in the

49 manner prescribed by Sections 23-15-601 and 23-15-605.

50   The provisions of this section shall apply only to districts

51 and subdistricts which are multijudge districts except for the

52 Eighth, Tenth, Sixteenth and Twentieth Chancery Court Districts

53 and the Second, Eighth, Tenth and Nineteenth Circuit Court

54 Districts.

55   **SECTION 4.** This act shall take effect and be in force from

56 and after July 1, 2004.