

By: Senator(s) Little

To: Judiciary, Division A

SENATE BILL NO. 2235

1 AN ACT TO AMEND SECTIONS 9-5-7 AND 9-7-7, MISSISSIPPI CODE OF  
2 1972, TO REPEAL RUNNING IN THE HERD FOR THE CIRCUIT JUDGES AND  
3 CHANCELLORS OF THE FIRST CIRCUIT AND CHANCERY DISTRICTS; TO AMEND  
4 SECTIONS 23-15-982 AND 23-15-983, MISSISSIPPI CODE OF 1972, TO  
5 CONFORM; AND FOR RELATED PURPOSES.

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

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

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

11 (2) For purposes of appointment and election, the three (3)  
12 chancellorships 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 9-7-7, Mississippi Code of 1972, is  
16 amended as follows:

17 9-7-7. (1) There shall be three (3) judges for the First  
18 Circuit Court District.

19 (2) For purposes of appointment and election, the three (3)  
20 judgeships shall be separate and distinct and denominated for  
21 purposes of appointment and election only as "Place One," "Place  
22 Two" and "Place Three".

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

25 23-15-982. (1) Majority of vote equals any excess of the  
26 total vote for all candidates divided by the number of judgeships  
27 to be filled divided by two (2).

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

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

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

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

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

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

53           23-15-983. At the general election, the candidates equal to  
54 the number of positions to be filled and having the highest votes  
55 shall be elected.

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

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

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

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

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