

By: Senator(s) Butler, Hyde-Smith, Albritton To: Judiciary, Division A

SENATE BILL NO. 2700

1 AN ACT TO AMEND SECTION 9-7-39, MISSISSIPPI CODE OF 1972, TO
2 REPEAL RUNNING IN THE HERD FOR THE JUDGES OF THE FOURTEENTH
3 CIRCUIT 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 9-7-39, Mississippi Code of 1972, is
7 amended as follows:

8 9-7-39. (1) The Fourteenth Circuit Court District shall be
9 comprised of the following counties:

- 10 (a) Lincoln County;
- 11 (b) Pike County; and
- 12 (c) Walthall County.

13 (2) There shall be two (2) judges for the Fourteenth Circuit
14 Court District. For purposes of appointment and election, the two
15 (2) judgeships shall be separate and distinct and denominated for
16 purposes of appointment and election only as "Place One" and
17 "Place Two."

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

20 23-15-982. (1) Majority of vote equals any excess of the
21 total vote for all candidates divided by the number of judgeships
22 to be filled divided by two (2).

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



28 to twice the number of remaining positions to be filled, then all
29 remaining candidates shall run in the runoff election.

30 (2) Any tie votes which require resolution to determine who
31 shall enter a runoff election shall be determined by the
32 commissioners of election in the manner prescribed by Sections
33 23-15-601 and 23-15-605.

34 Candidates equal to the remaining number of positions to be
35 filled who have the highest votes in the runoff election are
36 elected.

37 Any tie votes which must be determined in order to decide who
38 is elected as a result of a runoff election shall be determined by
39 the State Election Commission in the manner prescribed by Sections
40 23-15-601 and 23-15-605.

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

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

48 23-15-983. At the general election, the candidates equal to
49 the number of positions to be filled and having the highest votes
50 shall be elected.

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

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

59 **SECTION 4.** The Attorney General of the State of Mississippi
60 shall submit this act, immediately upon approval by the Governor,



61 or upon approval by the Legislature subsequent to a veto, to the
62 Attorney General of the United States or to the United States
63 District Court for the District of Columbia in accordance with the
64 provisions of the Voting Rights Act of 1965, as amended and
65 extended.

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

