SENATE BILL NO. 2114

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 SECTION 23-15-977, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A
5 PERSON MAY QUALIFY TO RUN FOR ONLY ONE JUDICIAL OFFICE AT A TIME;
6 TO AMEND SECTIONS 23-15-982 AND 23-15-983, MISSISSIPPI CODE OF
7 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

9   **SECTION 1.** Section 9-5-7, Mississippi Code of 1972, is

10 amended as follows:

11   9-5-7. (1) There shall be three (3) chancellors for the

12 First Chancery Court District.

13   (2) For purposes of appointment and election, the three (3)

14 chancellorships shall be separate and distinct and denominated for

15 purposes of appointment and election only as "Place One," "Place

16 Two" and "Place Three."

17   **SECTION 2.** Section 9-7-7, Mississippi Code of 1972, is

18 amended as follows:

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

20 Circuit Court District.

21   (2) For purposes of appointment and election, the three (3)

22 judgeships shall be separate and distinct and denominated for

23 purposes of appointment and election only as "Place One," "Place

24 Two" and "Place Three."

25   **SECTION 3.** Section 23-15-977, Mississippi Code of 1972, is

26 amended as follows:

27   23-15-977. (1) *** * *** Candidates for judicial office as

28 defined in Section 23-15-975 of this subarticle shall file the

29 intent to be a candidate with the proper officials not later than

30 5:00 p.m. on the first Friday after the first Monday in May prior

31 to the general election for judicial office and shall pay to the

32 proper officials the following amounts:

33   (a) Candidates for Supreme Court judge and Court of

34 Appeals, the sum of Two Hundred Dollars ($200.00).

35   (b) Candidates for circuit judge and chancellor, the

36 sum of One Hundred Dollars ($100.00).

37   (c) Candidates for county judge and family court judge,

38 the sum of Fifteen Dollars ($15.00).

39   (2) Candidates for judicial offices listed in paragraphs (a)

40 and (b) of subsection (1) of this section shall file the intent to

41 be a candidate with, and pay the proper assessment made pursuant

42 to subsection (1) of this section to, the State Board of Election

43 Commissioners.

44   (3) Candidates for judicial offices listed in paragraph (c)

45 of subsection (1) of this section shall file the intent to be a

46 candidate with, and pay the proper assessment made pursuant to

47 subsection (1) of this section to, the circuit clerk of the proper

48 county. The circuit clerk shall notify the county commissioners

49 of election of all persons who have filed the intent to be a

50 candidate with, and paid the proper assessment to, such clerk.

51 Such notification shall occur within two (2) business days and

52 shall contain all necessary information.

53   (4) A candidate may qualify for only one (1) judicial

54 office.

55   **SECTION 4.** Section 23-15-982, Mississippi Code of 1972, is

56 amended as follows:

57   23-15-982. (1) Majority of vote equals any excess of the

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

59 to be filled divided by two (2).

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

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

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

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

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

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

66 remaining candidates shall run in the runoff election.

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

68 shall enter a runoff election shall be determined by the

69 commissioners of election in the manner prescribed by Sections

70 23-15-601 and 23-15-605.

71   Candidates equal to the remaining number of positions to be

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

73 elected.

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

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

76 the State Election Commission in the manner prescribed by Sections

77 23-15-601 and 23-15-605.

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

79 districts and subdistricts which are multijudge districts except

80 for the First, Eighth, Tenth, Sixteenth and Twentieth Chancery

81 Court Districts and the First, Second, Eighth and Nineteenth

82 Circuit Court Districts.

83   **SECTION 5.** Section 23-15-983, Mississippi Code of 1972, is

84 amended as follows:

85   23-15-983. At the general election, the candidates equal to

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

87 shall be elected.

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

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

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

91   The provisions of this section shall apply only to districts

92 and subdistricts which are multijudge districts except for the

93 First, Eighth, Tenth, Sixteenth and Twentieth Chancery Court

94 Districts and the First, Second, Eighth and Nineteenth Circuit

95 Court Districts.

96   **SECTION 6.** The Attorney General of the State of Mississippi

97   shall submit this act, immediately upon approval by the Governor,

98   or upon approval by the Legislature subsequent to a veto, to the

99   Attorney General of the United States or to the United States

100   District Court for the District of Columbia in accordance with the

101   provisions of the Voting Rights Act of 1965, as amended and

102   extended.

103   **SECTION 7.** This act shall take effect and be in force from

104   and after the date it is effectuated under Section 5 of the Voting

105   Rights Act of 1965, as amended and extended.