

By: Representatives Robinson (84th),
Snowden, Young

To: Judiciary A

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 630

1 AN ACT TO CREATE SECTION 9-9-18.2, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE FOR AN ADDITIONAL COUNTY COURT JUDGE FOR LAUDERDALE
3 COUNTY; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** The following shall be codified as Section
6 9-9-18.2, Mississippi Code of 1972:

7 9-9-18.2. (1) In order to relieve the crowded condition of
8 the docket in the county court and in the Youth Court of
9 Lauderdale County, and particularly to facilitate and make
10 possible the trial and disposition of the large number of causes
11 on said docket and in the youth court, there shall be two (2)
12 county judges for Lauderdale County, Mississippi, provided for and
13 elected as herein set out.

14 (2) For the purposes of nomination and election, the two (2)
15 judgeships shall be separate and distinct, the presently existing
16 judgeship and its succession to be denominated for purposes of
17 appointment, nomination and election only and Place One and the
18 judgeship hereby created and its succession for said selfsame
19 purposes and none other to be designated as Place Two. There
20 shall be no distinction whatsoever in the powers, duties and
21 emoluments of the two (2) offices of county judge, except that the
22 county judge of Lauderdale County who has been for the longest
23 time continuously a county judge of the county shall have the
24 right to assign causes, terms and dockets. Should neither judge
25 of the county court have served longer than the other, then that
26 judge of the county court who has been for the longest time a

27 member of The Mississippi Bar shall have the right to assign
28 causes, terms and dockets.

29 (3) While there shall be no limitation whatsoever upon the
30 powers and duties of the said county judges, other than as cast
31 upon them by the Constitution and laws of this state, the county
32 court of Lauderdale County may, in the discretion of the county
33 judge who has been for the longest time continuously a judge of
34 said court, be divided into civil, equity, criminal and youth
35 court divisions as a matter of convenience by the entry of an
36 order upon the minutes of the court.

37 (4) The two (2) county judges shall be elected at the same
38 time and in the same manner now prescribed by law for the existing
39 county court judgeship of Lauderdale County. The initial holder
40 of the additional judgeship created by this section, or "Place
41 Two," shall be elected in the regular election of November 2006.
42 Candidates shall qualify to run not later than forty-five (45)
43 days before that election. The person elected shall begin the
44 term of office in January 2007 at the same time as county judges
45 generally, and there shall be no vacancy of the office before that
46 time. Thereafter the two (2) judges shall otherwise be elected,
47 and any vacancy in office filled, as provided for county judges
48 generally.

49 (5) The Board of Supervisors of Lauderdale County may, in
50 its discretion, set aside, appropriate and expend monies from the
51 general fund to be used in the payment of salaries of judges,
52 clerks, reporters, officers and employees of the youth court
53 division of the county court, including the related facilities of
54 the youth court division of the county court, and such funds shall
55 be expended for no other purposes. The county shall not be
56 reimbursed for the amount of any such levy provided for by the
57 section under the terms of the Homestead Exemption Law.

58 **SECTION 2.** The Attorney General of the State of Mississippi
59 shall submit this act, immediately upon approval by the Governor,

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

65 **SECTION 3.** This act shall take effect and be in force from
66 and after the date it is effectuated under Section 5 of the Voting
67 Rights Act of 1965, as amended and extended.