

By: Representative Franks

To: Judiciary A;
Apportionment and Elections

HOUSE BILL NO. 810

1 AN ACT TO AMEND SECTION 9-3-1, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE FOR FOUR SUPREME COURT DISTRICTS; TO AMEND SECTION 9-3-11,
3 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHIEF JUSTICE SHALL
4 BE ELECTED STATEWIDE; TO AMEND SECTIONS 23-15-977 AND 23-15-993,
5 MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 9-3-1, Mississippi Code of 1972, is
8 amended as follows:

9 9-3-1. The state shall be divided into four (4) Supreme
10 Court districts, as follows, to wit:

11 The counties of Attala, Bolivar, Carroll, Claiborne, Coahoma,
12 Copiah, Hinds, Holmes, Humphreys, Issaquena, Jefferson, * * *
13 Leake, Leflore, Madison, Montgomery, Quitman, Sharkey, Sunflower,
14 Tallahatchie, Tunica, Warren, Washington and Yazoo shall
15 constitute the First District.

16 * * *

17 The counties of Alcorn, * * * Benton, Calhoun, * * *
18 Chickasaw, Choctaw, Clay, * * * DeSoto, Grenada, Itawamba,
19 Lafayette, Lee, * * * Lowndes, Marshall, Monroe, * * * Panola,
20 Pontotoc, Prentiss, * * * Tate, Tippah, Tishomingo, * * * Union,
21 Webster, * * * and Yalobusha, shall constitute the Second
22 District.

23 The counties of Adams, Amite, Covington, Franklin, Jasper,
24 Jefferson Davis, Kemper, Lauderdale, Lawrence, Lincoln, Neshoba,
25 Newton, Noxubee, Oktibbeha, Pike, Rankin, Scott, Simpson, Smith,
26 Walthall, Wilkinson and Winston shall constitute the Third
27 District.

28 The counties of Clarke, Forrest, George, Greene, Hancock,
29 Harrison, Jackson, Jones, Lamar, Marion, Pearl River, Perry, Stone
30 and Wayne shall constitute the Fourth District.

31 **SECTION 2.** Section 9-3-11, Mississippi Code of 1972, is
32 amended as follows:

33 9-3-11. The Chief Justice of the Supreme Court shall be
34 elected statewide as provided in Section 23-15-993.

35 **SECTION 3.** Section 23-15-977, Mississippi Code of 1972, is
36 amended as follows:

37 23-15-977. (1) All candidates for judicial office as
38 defined in Section 23-15-975 of this subarticle shall file their
39 intent to be a candidate with the proper officials not later than
40 5:00 p.m. on the first Friday after the first Monday in May prior
41 to the general election for judicial office and shall pay to the
42 proper officials the following amounts:

43 (a) Candidates for Chief Justice of the Supreme Court,
44 Supreme Court judge and Court of Appeals, the sum of Two Hundred
45 Dollars (\$200.00).

46 (b) Candidates for circuit judge and chancellor, the
47 sum of One Hundred Dollars (\$100.00).

48 (c) Candidates for county judge and family court judge,
49 the sum of Fifteen Dollars (\$15.00).

50 (2) Candidates for judicial offices listed in paragraphs (a)
51 and (b) of subsection (1) of this section shall file their intent
52 to be a candidate with, and pay the proper assessment made
53 pursuant to subsection (1) of this section to, the State Board of
54 Election Commissioners.

55 (3) Candidates for judicial offices listed in paragraph (c)
56 of subsection (1) of this section shall file their intent to be a
57 candidate with, and pay the proper assessment made pursuant to
58 subsection (1) of this section to, the circuit clerk of the proper
59 county. The circuit clerk shall notify the county commissioners
60 of election of all persons who have filed their intent to be a

61 candidate with, and paid the proper assessment to, such clerk.
62 Such notification shall occur within two (2) business days and
63 shall contain all necessary information.

64 **SECTION 4.** Section 23-15-993, Mississippi Code of 1972, is
65 amended as follows:

66 23-15-993. For the purpose of all elections, each of the
67 nine (9) judgeships of the Supreme Court shall be considered a
68 separate office. The two (2) offices in each of the four (4)
69 Supreme Court districts shall be designated Position Number 1 and
70 Position Number 2, and in qualifying for office as a candidate for
71 any office of judge of the Supreme Court each candidate shall
72 state the position number of the office to which he aspires and
73 the regular election ballots shall so indicate. The Chief Justice
74 shall be elected statewide and the office shall be a term that
75 ends in January, 2013. In Supreme Court District Number 1:
76 Position Number 1 shall be that office for which the term ends in
77 January 2006; and Position Number 2 shall be that office for which
78 the term ends in January 2005. In District Number 2: Position
79 Number 1 shall be that office for which the term ends in January
80 2012; and Position Number 2 shall be that office for which the
81 term ends in January 2009. In District Number 3: Position Number
82 1 shall be that office for which the term ends in January 2009;
83 and Position Number 2 shall be that office for which the term ends
84 in January 2009. In District Number 4: Position 1 shall be that
85 office for which the term ends in January 2009; and Position 2
86 shall be that office for which their term ends in January 2005.

87 **SECTION 5.** The Attorney General of the State of Mississippi
88 shall submit this act, immediately upon approval by the Governor,
89 or upon approval by the Legislature subsequent to a veto, to the
90 Attorney General of the United States or to the United States
91 District Court for the District of Columbia in accordance with the
92 provisions of the Voting Rights Act of 1965, as amended and
93 extended.

94 **SECTION 6.** Sections 5 through 10 of this act shall take
95 effect and be in force from and after the date it is effectuated
96 under Section 5 of the Voting Rights Act of 1965, as amended and
97 extended. Sections 1 through 4 shall take effect and be in force
98 from and after the date it is effectuated under Section 5 of the
99 Voting Rights Act of 1965, as amended and extended, provided that
100 House Concurrent Resolution No. _____, 2006 Regular Session, is
101 ratified by the electorate.