

By: Representative Franks

To: Judiciary A;  
Apportionment and Elections

HOUSE BILL NO. 725

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 2009; and Position Number 2 shall be that office for which  
78 the term ends in January 2008. In District Number 2: Position  
79 Number 1 shall be that office for which the term ends in January  
80 2013; and Position Number 2 shall be that office for which the  
81 term ends in January 2010. In District Number 3: Position Number  
82 1 shall be that office for which the term ends in January 2011;  
83 and Position Number 2 shall be that office for which the term ends  
84 in January 2014. In District Number 4: Position Number 1 shall  
85 be that office for which the term ends in January 2015; and  
86 Position Number 2 shall be that office for which the term ends in  
87 January 2012.

88 **SECTION 5.** The Attorney General of the State of Mississippi  
89 shall submit this act, immediately upon approval by the Governor,  
90 or upon approval by the Legislature subsequent to a veto, to the  
91 Attorney General of the United States or to the United States  
92 District Court for the District of Columbia in accordance with the

93 provisions of the Voting Rights Act of 1965, as amended and  
94 extended.

95         **SECTION 6.** Sections 5 through 10 of this act shall take  
96 effect and be in force from and after the date it is effectuated  
97 under Section 5 of the Voting Rights Act of 1965, as amended and  
98 extended. Sections 1 through 4 shall take effect and be in force  
99 from and after the date it is effectuated under Section 5 of the  
100 Voting Rights Act of 1965, as amended and extended, provided that  
101 House Concurrent Resolution No. \_\_\_\_\_, 2007 Regular Session, is  
102 ratified by the electorate.