

By: Senator(s) King, Fillingane

To: Judiciary, Division A

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2966

1 AN ACT TO AMEND SECTION 9-9-1, MISSISSIPPI CODE OF 1972, TO
2 GRANT TO COUNTIES OF A CERTAIN POPULATION SIZE THE OPTION TO
3 CREATE A COUNTY COURT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 9-9-1, Mississippi Code of 1972, is
6 amended as follows:

7 9-9-1. (1) There shall be an inferior court to be known as
8 the county court in and for each of the following counties:

9 (a) Each county of the state wherein a county court is
10 in existence on July 1, 1985; * * *

11 (b) From and after January 1, 1987, each county that
12 has a population exceeding fifty thousand (50,000) inhabitants as
13 shown by the latest federal decennial census; and

14 (c) The board of supervisors of any county having a
15 population exceeding thirty-nine thousand (39,000) inhabitants as
16 shown by the latest federal decennial census in which Highways 589
17 and 98 intersect shall have the option to establish a county court
18 under the provisions of this section.

19 (2) (a) A county judge for a county that is required to
20 establish a county court under subsection (1)(b) of this section
21 shall be elected by the qualified electors of the county for the
22 same term and in the same manner as provided for the election of
23 circuit court judges at an election held at the same time as the
24 next regular election of circuit court judges first occurring
25 after the date upon which it can be determined that a county court
26 is required under the provisions of subsection (1)(b) of this
27 section to be established in such county.

28 (b) A county judge for a county electing to establish a
29 county court under subsection (1)(c) of this section shall be
30 elected by the qualified electors of the county in the same manner
31 as provided for the election of circuit court judges at an
32 election held at the November general election first occurring
33 after the date when the board of supervisors spreads upon its
34 minutes a resolution creating the county court. The term of the
35 county court judge so elected shall begin on the first day of
36 January following the November election, and shall end at the same
37 time as for county court judges generally. Thereafter, the county
38 court judge shall be elected and serve for a term as provided for
39 county court judges generally.

40 (3) The provisions of this section shall not be construed so
41 as to require that a county court be established in any county in
42 which the board of supervisors has agreed and contracted with the
43 board of supervisors of any other county or counties to support
44 and maintain one (1) county court for such counties as provided in
45 Section 9-9-3.

46 **SECTION 2.** The Attorney General of the State of Mississippi
47 shall submit this act, immediately upon approval by the Governor,
48 or upon approval by the Legislature subsequent to a veto, to the
49 Attorney General of the United States or to the United States
50 District Court for the District of Columbia in accordance with the
51 provisions of the Voting Rights Act of 1965, as amended and
52 extended.

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