

By: Representative Lamar

To: Ways and Means

HOUSE BILL NO. 822

1 AN ACT TO REPEAL SECTION 9-7-26, MISSISSIPPI CODE OF 1972,
 2 WHICH AUTHORIZES THE APPOINTMENT OF CIRCUIT JUDGES FOR THE SEVENTH
 3 CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-12-1, MISSISSIPPI CODE
 4 OF 1972, TO CLARIFY APPEALS FROM THE CCID INFERIOR COURT; TO BRING
 5 FORWARD SECTION 11-51-81, MISSISSIPPI CODE OF 1972, WHICH PROVIDES
 6 FOR APPEALS FROM MUNICIPAL COURTS, FOR PURPOSES OF AMENDMENT; TO
 7 BRING FORWARD SECTION 11-51-95, MISSISSIPPI CODE OF 1972, WHICH
 8 AUTHORIZES APPEALS OF INFERIOR TRIBUNALS TO CIRCUIT COURT, FOR
 9 PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 9-7-26, Mississippi Code of 1972, which
 12 authorizes the appointment of four (4) temporary special circuit
 13 judges for the Seventh Circuit Court District, shall stand
 14 repealed.

15 **SECTION 2.** Section 9-12-1, Mississippi Code of 1972, is
 16 amended as follows:

17 9-12-1. (1) (a) From and after January 1, 2024, there
 18 shall be created one (1) inferior court as authorized by Article
 19 6, Section 172 of the Mississippi Constitution of 1890, to be
 20 located within the boundaries established in Section 29-5-203 for
 21 the Capitol Complex Improvement District, hereinafter referred to



22 as "CCID". The CCID inferior court shall have jurisdiction to
23 hear and determine all preliminary matters and criminal matters
24 authorized by law for municipal courts that accrue or occur, in
25 whole or in part, within the boundaries of the Capitol Complex
26 Improvement District; and shall have the same jurisdiction as
27 municipal courts to hear and determine all cases charging
28 violations of the motor vehicle and traffic laws of this state,
29 and violations of the City of Jackson's traffic ordinance or
30 ordinances related to the disturbance of the public peace that
31 accrue or occur, in whole or in part, within the boundaries of the
32 Capitol Complex Improvement District. Appeals from the CCID
33 inferior court shall be governed in the same manner as appeals
34 from municipal courts described in Section 11-51-81 and certiorari
35 review as described in Section 11-51-95.

36 (b) Any person convicted in the CCID inferior court may
37 be placed in the custody of the Mississippi Department of
38 Corrections, Central Mississippi facility.

39 (2) The Chief Justice of the Mississippi Supreme Court shall
40 appoint the CCID inferior court judge authorized by this section.
41 The judge shall possess all qualifications required by law for
42 municipal court judges. Such judge shall be a qualified elector
43 of this state, and shall have such other qualifications as
44 provided by law for municipal judges.

45 (3) The Administrative Office of Courts shall provide
46 compensation for the CCID inferior court judge and the support



47 staff of the judge. Such compensation shall not be in an amount
48 less than the compensation paid to municipal court judges and
49 their support staff in the City of Jackson.

50 (4) All fines, penalties, fees and costs imposed and
51 collected by the CCID inferior court shall be deposited with the
52 City of Jackson municipal treasurer or equivalent officer.

53 (5) This section shall stand repealed on July 1, 2027.

54 **SECTION 3.** Section 11-51-81, Mississippi Code of 1972, is
55 brought forward as follows:

56 11-51-81. All appeals from courts of justices of the peace,
57 special and general, and from all municipal courts shall be to the
58 county court under the same rules and regulations as are provided
59 on appeals to the circuit court, but appeals from orders of the
60 board of supervisors, municipal boards, and other tribunals other
61 than courts of justice of the peace and municipal courts, shall be
62 direct to the circuit court as heretofore. And from the final
63 judgment of the county court in a case appealed to it under this
64 section, a further appeal may be taken to the circuit court on the
65 same terms and in the same manner as other appeals from the county
66 court to the circuit court are taken: Provided that where the
67 judgment or record of the justice of the peace, municipal or
68 police court is not properly certified, or is not certified at
69 all, that question must be raised in the county court in the
70 absence of which the defect shall be deemed as waived and by such
71 waiver cured and may not thereafter be raised for the first time



72 in the circuit court on the appeal thereto; and provided further
73 that there shall be no appeal from the circuit court to the
74 Supreme Court of any case civil or criminal which originated in a
75 justice of the peace, municipal or police court and was thence
76 appealed to the county court and thence to the circuit court
77 unless in the determination of the case a constitutional question
78 be necessarily involved and then only upon the allowance of the
79 appeal by the circuit judge or by a judge of the Supreme Court.

80 **SECTION 4.** Section 11-51-95, Mississippi Code of 1972, is
81 brought forward as follows:

82 11-51-95. Like proceedings as provided in Section 11-51-93
83 may be had to review the judgments of all tribunals inferior to
84 the circuit court, whether an appeal be provided by law from the
85 judgment sought to be reviewed or not. However, petitions for a
86 writ of certiorari to the circuit court for review of a decision
87 of a municipal civil service commission created under Section
88 21-31-1 et seq. or Section 21-31-51 et seq. shall be filed within
89 thirty (30) days after the entry of the judgment or order of the
90 commission.

91 **SECTION 5.** This act shall take effect and be in force from
92 and after its passage.

