

By: Representative Yates

To: Judiciary A;
Appropriations A

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1226

1 AN ACT TO AMEND SECTION 9-12-1, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE TWO JUDGES FOR THE CCID INFERIOR COURT AND CLARIFY
3 COMPENSATION FOR THE JUDGES; TO BRING FORWARD SECTIONS 11-51-81
4 AND 11-51-95, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR APPEALS
5 FROM MUNICIPAL COURTS AND ALL TRIBUNALS INFERIOR TO THE CIRCUIT
6 COURT, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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

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

10 9-12-1. (1) (a) From and after January 1, 2024, there
11 shall be created one (1) inferior court as authorized by Article
12 6, Section 172 of the Mississippi Constitution of 1890, to be
13 located within the boundaries established in Section 29-5-203 for
14 the Capitol Complex Improvement District, hereinafter referred to
15 as "CCID". The CCID inferior court shall have jurisdiction to
16 hear and determine all preliminary matters and criminal matters
17 authorized by law for municipal courts that accrue or occur, in
18 whole or in part, within the boundaries of the Capitol Complex
19 Improvement District; and shall have the same jurisdiction as
20 municipal courts to hear and determine all cases charging



21 violations of the motor vehicle and traffic laws of this state,
22 and violations of the City of Jackson's traffic ordinance or
23 ordinances related to the disturbance of the public peace that
24 accrue or occur, in whole or in part, within the boundaries of the
25 Capitol Complex Improvement District. Appeals from the CCID
26 inferior court shall be governed in the same manner as prescribed
27 by law for appeals from municipal courts described in Section
28 11-51-81 and certiorari review as described in Section 11-51-95.

29 (b) Any person convicted in the CCID inferior court may
30 be placed in the custody of the Mississippi Department of
31 Corrections, Central Mississippi facility.

32 (2) The Chief Justice of the Mississippi Supreme Court * * *
33 may appoint up to two (2) judges to serve the CCID inferior
34 court * * *. The judges shall possess all qualifications required
35 by law for municipal court judges. Such judges shall be * * *
36 qualified electors of this state, and shall have such other
37 qualifications as provided by law for municipal judges.

38 (3) The Administrative Office of Courts shall provide
39 compensation for the CCID inferior court judges and * * * their
40 support staff * * *. * * * The compensation of each judge
41 shall * * * be in an amount not to exceed Ten Thousand Dollars
42 (\$10,000.00) less than the salary authorized by law for county
43 judges.



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

47 * * *

48 **SECTION 2.** Section 11-51-81, Mississippi Code of 1972, is
49 brought forward as follows:

50 11-51-81. All appeals from courts of justices of the peace,
51 special and general, and from all municipal courts shall be to the
52 county court under the same rules and regulations as are provided
53 on appeals to the circuit court, but appeals from orders of the
54 board of supervisors, municipal boards, and other tribunals other
55 than courts of justice of the peace and municipal courts, shall be
56 direct to the circuit court as heretofore. And from the final
57 judgment of the county court in a case appealed to it under this
58 section, a further appeal may be taken to the circuit court on the
59 same terms and in the same manner as other appeals from the county
60 court to the circuit court are taken: Provided that where the
61 judgment or record of the justice of the peace, municipal or
62 police court is not properly certified, or is not certified at
63 all, that question must be raised in the county court in the
64 absence of which the defect shall be deemed as waived and by such
65 waiver cured and may not thereafter be raised for the first time
66 in the circuit court on the appeal thereto; and provided further
67 that there shall be no appeal from the circuit court to the
68 Supreme Court of any case civil or criminal which originated in a



69 justice of the peace, municipal or police court and was thence
70 appealed to the county court and thence to the circuit court
71 unless in the determination of the case a constitutional question
72 be necessarily involved and then only upon the allowance of the
73 appeal by the circuit judge or by a judge of the Supreme Court.

74 **SECTION 3.** Section 11-51-95, Mississippi Code of 1972, is
75 brought forward as follows:

76 11-51-95. Like proceedings as provided in Section 11-51-93
77 may be had to review the judgments of all tribunals inferior to
78 the circuit court, whether an appeal be provided by law from the
79 judgment sought to be reviewed or not. However, petitions for a
80 writ of certiorari to the circuit court for review of a decision
81 of a municipal civil service commission created under Section
82 21-31-1 et seq. or Section 21-31-51 et seq. shall be filed within
83 thirty (30) days after the entry of the judgment or order of the
84 commission.

85 **SECTION 4.** This act shall take effect and be in force from
86 and after its passage.

