

By: Representative Sanford

To: Judiciary B

HOUSE BILL NO. 1262

1 AN ACT TO BRING FORWARD SECTION 9-4-5, MISSISSIPPI CODE OF  
2 1972, WHICH ESTABLISHES THE BOUNDARIES OF THE COURT OF APPEALS  
3 DISTRICTS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 9-4-5, Mississippi Code of 1972, is  
6 brought forward as follows:

7 9-4-5. (1) The term of office of judges of the Court of  
8 Appeals shall be eight (8) years. An election shall be held on  
9 the first Tuesday after the first Monday in November 1994, to  
10 elect the ten (10) judges of the Court of Appeals, two (2) from  
11 each congressional district; provided, however, judges of the  
12 Court of Appeals who are elected to take office after the first  
13 Monday of January 2002, shall be elected from the Court of Appeals  
14 Districts described in subsection (5) of this section. The judges  
15 of the Court of Appeals shall begin service on the first Monday of  
16 January 1995.

17 (2) (a) In order to provide that the offices of not more  
18 than a majority of the judges of said court shall become vacant at



19 any one (1) time, the terms of office of six (6) of the judges  
20 first to be elected shall expire in less than eight (8) years.  
21 For the purpose of all elections of members of the court, each of  
22 the ten (10) judges of the Court of Appeals shall be considered a  
23 separate office. The two (2) offices in each of the five (5)  
24 districts shall be designated Position Number 1 and Position  
25 Number 2, and in qualifying for office as a candidate for any  
26 office of judge of the Court of Appeals each candidate shall state  
27 the position number of the office to which he aspires and the  
28 election ballots shall so indicate.

29 (i) In Congressional District Number 1, the judge  
30 of the Court of Appeals for Position Number 1 shall be that office  
31 for which the term ends January 1, 1999, and the judge of the  
32 Court of Appeals for Position Number 2 shall be that office for  
33 which the term ends January 1, 2003.

34 (ii) In Congressional District Number 2, the judge  
35 of the Court of Appeals for Position Number 1 shall be that office  
36 for which the term ends on January 1, 2003, and the judge of the  
37 Court of Appeals for Position Number 2 shall be that office for  
38 which the term ends January 1, 2001.

39 (iii) In Congressional District Number 3, the  
40 judge of the Court of Appeals for Position Number 1 shall be that  
41 office for which the term ends on January 1, 2001, and the judge  
42 of the Court of Appeals for Position Number 2 shall be that office  
43 for which the term ends January 1, 1999.



44 (iv) In Congressional District Number 4, the judge  
45 of the Court of Appeals for Position Number 1 shall be that office  
46 for which the term ends on January 1, 1999, and the judge of the  
47 Court of Appeals for Position Number 2 shall be that office for  
48 which the term ends January 1, 2003.

49 (v) In Congressional District Number 5, the judge  
50 of the Court of Appeals for Position Number 1 shall be that office  
51 for which the term ends on January 1, 2003, and the judge of the  
52 Court of Appeals for Position Number 2 shall be that office for  
53 which the term ends January 1, 2001.

54 (b) The laws regulating the general elections shall  
55 apply to and govern the elections of judges of the Court of  
56 Appeals except as otherwise provided in Sections 23-15-974 through  
57 23-15-985.

58 (c) In the year prior to the expiration of the term of  
59 an incumbent, and likewise each eighth year thereafter, an  
60 election shall be held in the manner provided in this section in  
61 the district from which the incumbent Court of Appeals judge was  
62 elected at which there shall be elected a successor to the  
63 incumbent, whose term of office shall thereafter begin on the  
64 first Monday of January of the year in which the term of the  
65 incumbent he succeeds expires.

66 (3) No person shall be eligible for the office of judge of  
67 the Court of Appeals who has not attained the age of thirty (30)  
68 years at the time of his election and who has not been a



69 practicing attorney and citizen of the state for five (5) years  
70 immediately preceding such election.

71 (4) Any vacancy on the Court of Appeals shall be filled by  
72 appointment of the Governor for that portion of the unexpired term  
73 prior to the election to fill the remainder of said term according  
74 to provisions of Section 23-15-849, Mississippi Code of 1972.

75 (5) (a) The State of Mississippi is hereby divided into  
76 five (5) Court of Appeals Districts as follows:

77 **FIRST DISTRICT.** The First Court of Appeals District shall be  
78 composed of the following counties and portions of counties:

79 Alcorn, Benton, Calhoun, Chickasaw, Choctaw, DeSoto, Itawamba,  
80 Lafayette, Lee, Marshall, Monroe, Pontotoc, Prentiss, Tate,  
81 Tippah, Tishomingo, Union, Webster and Yalobusha; in Grenada  
82 County the precincts of Providence, Mt. Nebo, Hardy and Pea Ridge;  
83 in Montgomery County the precincts of North Winona, Lodi, Stewart,  
84 Nations and Poplar Creek; in Panola County the precincts of East  
85 Sardis, South Curtis, Tocowa, Pope, Courtland, Cole's Point, North  
86 Springport, South Springport, Eureka, Williamson, East Batesville  
87 4, West Batesville 4, Fern Hill, North Batesville A, East  
88 Batesville 5 and West Batesville 5; and in Tallahatchie County the  
89 precincts of Teasdale, Enid, Springhill, Charleston Beat 1,  
90 Charleston Beat 2, Charleston Beat 3, Paynes, Leverette, Cascilla,  
91 Murphreesboro and Rosebloom.

92 **SECOND DISTRICT.** The Second Court of Appeals District shall  
93 be composed of the following counties and portions of counties:



94 Bolivar, Carroll, Claiborne, Coahoma, Holmes, Humphreys,  
95 Issaquena, Jefferson, Leflore, Quitman, Sharkey, Sunflower,  
96 Tunica, Warren, Washington and Yazoo; in Attala County the  
97 precincts of Northeast, Hesterville, Possomneck, North Central,  
98 McAdams, Newport, Sallis and Southwest; that portion of Grenada  
99 County not included in the First Court of Appeals District; in  
100 Hinds County Precincts 11, 12, 13, 22, 23, 27, 28, 29, 30, 40, 41,  
101 83, 84 and 85, and the precincts of Bolton, Brownsville, Cayuga,  
102 Chapel Hill, Cynthia, Edwards, Learned, Pine Haven, Pocahontas,  
103 St. Thomas, Tinnin, Utica 1 and Utica 2; in Leake County the  
104 precincts of Conway, West Carthage, Wiggins, Thomastown and  
105 Ofahoma; in Madison County the precincts of Farmhaven, Canton  
106 Precinct 2, Canton Precinct 3, Cameron Street, Canton Precinct 6,  
107 Bear Creek, Gluckstadt, Smith School, Magnolia Heights, Flora,  
108 Virililia, Canton Precinct 5, Cameron, Couparle, Camden, Sharon,  
109 Canton Precinct 1 and Canton Precinct 4; that portion of  
110 Montgomery County not included in the First Court of Appeals  
111 District; that portion of Panola County not included in the First  
112 Court of Appeals District; and that portion of Tallahatchie County  
113 not included in the First Court of Appeals District.

114       **THIRD DISTRICT.** The Third Court of Appeals District shall be  
115 composed of the following counties and portions of counties:  
116 Clarke, Clay, Jasper, Kemper, Lauderdale, Lowndes, Neshoba,  
117 Newton, Noxubee, Oktibbeha, Rankin, Scott, Smith and Winston; that  
118 portion of Attala County not included in the Second Court of



119 Appeals District; in Jones County the precincts of Northwest High  
120 School, Shady Grove, Sharon, Erata, Glade, Myrick School,  
121 Northeast High School, Rustin, Sandersville Civic Center, Tuckers,  
122 Antioch and Landrum; that portion of Leake County not included in  
123 the Second Court of Appeals District; that portion of Madison  
124 County not included in the Second Court of Appeals District; and  
125 in Wayne County the precincts of Big Rock, Yellow Creek, Hiwannee,  
126 Diamond, Chaparral, Matherville, Coit and Eucutta.

127       **FOURTH DISTRICT.** The Fourth Court of Appeals District shall  
128 be composed of the following counties and portions of counties:  
129 Adams, Amite, Copiah, Covington, Franklin, Jefferson Davis,  
130 Lawrence, Lincoln, Marion, Pike, Simpson, Walthall and Wilkinson;  
131 that portion of Hinds County not included in the Second Court of  
132 Appeals District; and that portion of Jones county not included in  
133 the Third Court of Appeals District.

134       **FIFTH DISTRICT.** The Fifth Court of Appeals District shall be  
135 composed of the following counties and portions of counties:  
136 Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Pearl  
137 River, Perry and Stone; and that portion of Wayne County not  
138 included in the Third Court of Appeals District.

139           (b) The boundaries of the Court of Appeals Districts  
140 described in paragraph (a) of this subsection shall be the  
141 boundaries of the counties and precincts listed in paragraph (a)  
142 of this subsection as such boundaries existed on October 1, 1990.



143           **SECTION 2.** This act shall take effect and be in force from  
144 and after July 1, 2024.

