

By: Senator(s) DeBar

To: Judiciary, Division A

SENATE BILL NO. 2768

1 AN ACT TO CREATE NEW SECTION 9-5-59, MISSISSIPPI CODE OF
2 1972, TO CREATE THE TWENTY-FIRST CHANCERY COURT DISTRICT; TO
3 CREATE NEW SECTION 9-7-65, MISSISSIPPI CODE OF 1972, TO CREATE THE
4 TWENTY-FOURTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-5-35,
5 MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE
6 TENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-49,
7 MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE
8 SIXTEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-55,
9 MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE
10 NINETEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-7-31,
11 MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE
12 TENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-35, MISSISSIPPI
13 CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE TWELFTH
14 CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-49, MISSISSIPPI CODE
15 OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE NINETEENTH
16 CIRCUIT COURT DISTRICT; TO AMEND SECTION 25-31-5, MISSISSIPPI CODE
17 OF 1972, TO PROVIDE LEGAL ASSISTANTS FOR THE TWENTY-FOURTH CIRCUIT
18 COURT DISTRICT; TO AMEND SECTION 9-5-36, MISSISSIPPI CODE OF 1972,
19 TO CONFORM; TO PROVIDE THE PROCEDURE TO FILL THE OFFICE OF
20 DISTRICT ATTORNEY FOR THE TWENTY-FOURTH CIRCUIT COURT DISTRICT; TO
21 PROVIDE THE PROCEDURE TO FILL THE CHANCELLORSHIP AND THE CIRCUIT
22 JUDGESHIP CREATED IN THIS ACT; AND FOR RELATED PURPOSES.

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

24 **SECTION 1.** The following shall be codified as Section
25 9-5-59, Mississippi Code of 1972:

26 9-5-59. The Twenty-first Chancery Court District is composed
27 of the following counties:

28 (a) George County;



- 29 (b) Green County;
30 (c) Perry County; and
31 (d) Wayne County.

32 **SECTION 2.** The following shall be codified as Section
33 9-7-65, Mississippi Code of 1972:

34 9-7-65. The Twenty-fourth Circuit Court District is composed
35 of the following counties:

- 36 (a) George County;
37 (b) Green County;
38 (c) Perry County; and
39 (d) Wayne County.

40 **SECTION 3.** Section 9-5-35, Mississippi Code of 1972, is
41 amended as follows:

42 9-5-35. The Tenth Chancery Court District is composed of the
43 following counties:

- 44 (a) Forrest County;
45 (b) Lamar County;
46 (c) Marion County; and
47 (d) Pearl River County * * * .

48 * * *

49 **SECTION 4.** Section 9-5-49, Mississippi Code of 1972, is
50 amended as follows:

51 9-5-49. The Sixteenth Chancery Court District * * * shall be
52 Jackson County.



SECTION 5. Section 9-5-55, Mississippi Code of 1972, is amended as follows:

9-5-55. The Nineteenth Chancery Court District * * * shall be Jones County * * *.

* * *

SECTION 6. Section 9-7-31, Mississippi Code of 1972, is amended as follows:

9-7-31. The Tenth Circuit Court District is composed of the following counties:

(a) Clarke County;

(b) Kemper County; and

(c) Lauderdale County * * *.

* * *

SECTION 7. Section 9-7-35, Mississippi Code of 1972, is amended as follows:

9-7-35. (1) The Twelfth Circuit Court District * * * shall be Forrest County * * *.

* * *

(2) There shall be two (2) judges for the Twelfth Circuit Court District. The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two * * *".

SECTION 8. Section 9-7-49, Mississippi Code of 1972, is amended as follows:



9-7-49. * * * The Nineteenth Circuit Court District * * *
shall be Jackson County.

* * *

SECTION 9. Section 25-31-5, Mississippi Code of 1972, is
amended as follows:

25-31-5. (1) The following number of full-time legal
assistants are authorized in the following circuit court
districts:

(a) First Circuit Court District..... ten (10)
legal assistants.

(b) Second Circuit Court District..... eleven (11)
legal assistants.

(c) Third Circuit Court District..... six (6)
legal assistants.

(d) Fourth Circuit Court District..... six (6)
legal assistants.

(e) Fifth Circuit Court District.....five (5)
legal assistants.

(f) Sixth Circuit Court District..... three (3)
legal assistants.

(g) Seventh Circuit Court District..... twelve (12)
legal assistants. Effective July 1, 2023, through July 1, 2025,
the Seventh Circuit Court District shall have fourteen (14) legal
assistants.



101 (h) Eighth Circuit Court District.....three (3)
102 legal assistants.
103 (i) Ninth Circuit Court District.....three (3)
104 legal assistants.
105 (j) Tenth Circuit Court District..... five (5)
106 legal assistants.
107 (k) Eleventh Circuit Court District.....five (5)
108 legal assistants.
109 (l) Twelfth Circuit Court District.....five (5)
110 legal assistants.
111 (m) Thirteenth Circuit Court District.....four (4)
112 legal assistants.
113 (n) Fourteenth Circuit Court District..... six (6)
114 legal assistants.
115 (o) Fifteenth Circuit Court District..... seven (7)
116 legal assistants.
117 (p) Sixteenth Circuit Court District..... six (6)
118 legal assistants.
119 (q) Seventeenth Circuit Court District..... four (4)
120 legal assistants.
121 (r) Eighteenth Circuit Court District.....two (2)
122 legal assistants.
123 (s) Nineteenth Circuit Court District..... seven (7)
124 legal assistants.



125 (t) Twentieth Circuit Court District..... seven (7)
126 legal assistants.

127 (u) Twenty-first Circuit Court District..... four (4)
128 legal assistants.

129 (v) Twenty-second Circuit Court District..... three (3)
130 legal assistants.

131 (w) Twenty-third Circuit Court District..... five (5)
132 legal assistants.

133 (x) Twenty-fourth Circuit Court District..... two (2)
134 legal assistants.

135 (2) In addition to any legal assistants authorized pursuant
136 to subsection (1) of this section, the following number of
137 full-time legal assistants are authorized (i) in the following
138 circuit court districts if funds are appropriated by the
139 Legislature to adequately fund the salaries, expenses and fringe
140 benefits of such legal assistants, or (ii) in any of the following
141 circuit court districts in which the board of supervisors of one
142 or more of the counties in a circuit court district adopts a
143 resolution to pay all of the salaries, supplemental pay, expenses
144 and fringe benefits of legal assistants authorized in such
145 district pursuant to this subsection:

146 (a) First Circuit Court District.....two (2)
147 legal assistants.

148 (b) Second Circuit Court District.....two (2)
149 legal assistants.



150 (c) Third Circuit Court District.....two (2)
151 legal assistants.
152 (d) Fourth Circuit Court District.....two (2)
153 legal assistants.
154 (e) Fifth Circuit Court District.....two (2)
155 legal assistants.
156 (f) Sixth Circuit Court District.....two (2)
157 legal assistants.
158 (g) Seventh Circuit Court District.....two (2)
159 legal assistants.
160 (h) Eighth Circuit Court District.....two (2)
161 legal assistants.
162 (i) Ninth Circuit Court District.....two (2)
163 legal assistants.
164 (j) Tenth Circuit Court District.....two (2)
165 legal assistants.
166 (k) Eleventh Circuit Court District.....two (2)
167 legal assistants.
168 (l) Twelfth Circuit Court District.....two (2)
169 legal assistants.
170 (m) Thirteenth Circuit Court District.....two (2)
171 legal assistants.
172 (n) Fourteenth Circuit Court District.....two (2)
173 legal assistants.



174 (o) Fifteenth Circuit Court District.....two (2)

175 legal assistants.

176 (p) Sixteenth Circuit Court District.....two (2)

177 legal assistants.

178 (q) Seventeenth Circuit Court District.....two (2)

179 legal assistants.

180 (r) Eighteenth Circuit Court District.....two (2)

181 legal assistants.

182 (s) Nineteenth Circuit Court District.....two (2)

183 legal assistants.

184 (t) Twentieth Circuit Court District.....two (2)

185 legal assistants.

186 (u) Twenty-first Circuit Court District.....two (2)

187 legal assistants.

188 (v) Twenty-second Circuit Court District.....two (2)

189 legal assistants.

190 (w) Twenty-third Circuit Court District.....two (2)

191 legal assistants.

192 (x) Twenty-fourth Circuit Court District.....two (2)

193 legal assistants.

194 (3) The board of supervisors of any county may pay all or a
195 part of the salary, supplemental pay, expenses and fringe benefits
196 of any district attorney or legal assistant authorized in the
197 circuit court district to which such county belongs pursuant to
198 this section.



(4) The district attorney of any circuit court district may employ additional legal assistants or criminal investigators, or both, without regard to any limitation on the number of legal assistants authorized in this section or criminal investigators authorized by other provisions of law to the extent that the district attorney's office receives funds from any source. Any source shall include, but is not limited to, office-generated funds, funds from a county, a combination of counties, a municipality, a combination of municipalities, federal funds, private grants or foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1 which may be expended for those positions in an amount sufficient to pay all of the salary, supplemental pay, expenses and fringe benefits of the positions. Such funds may either be paid out of district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and the funds shall be disbursed to such employees in the same manner as state-funded criminal investigators and full-time legal assistants. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration which



shall make such information available to the Legislative Budget Office.

(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

SECTION 10. Section 9-5-36, Mississippi Code of 1972, is amended as follows:

9-5-36. (1) There shall be four (4) chancellors for the Tenth Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four." The chancellor to fill Place One and Place Four may be a resident of any county in the district. The chancellor to fill Place Two must be a resident of Lamar, Marion * * * or Pearl River * * * County. The chancellor to fill Place Three must be a resident of Forrest County. Election of the four (4) offices of chancellor shall be by election to be held in every county within the Tenth Chancery Court District.

SECTION 11. Candidates for the district attorney of the Twenty-fourth Circuit Court District created by this act shall run for office in a special election to be conducted in conjunction with the general election of November 2024. Candidates shall file the intent to be a candidate not later than 5:00 p.m. on June 1, 2024, and otherwise shall qualify and shall run for office and be



249 elected as provided by law. The district attorney elected shall
250 serve a three-year term to begin January 1, 2025, and the term of
251 the office shall thereafter be as is provided for district
252 attorneys generally.

253 **SECTION 12.** Candidates for the chancellorship and the
254 circuit judgeship created by this act shall run for those offices
255 in a special election to be conducted in conjunction with the
256 general election of November 2024. Candidates shall file the
257 intent to be a candidate not later than 5:00 p.m. on June 1, 2024,
258 and otherwise shall qualify as provided by Section 23-15-977, and
259 shall run for office and be elected as provided in Sections
260 23-15-974 through 23-15-985 which is the Nonpartisan Judicial
261 Election Act. The judges elected shall serve a two-year term to
262 begin January 1, 2025, and the terms of those offices shall
263 thereafter be as is provided for chancellors and circuit judges
264 generally.

265 **SECTION 13.** This act shall take effect and be in force from
266 and after its passage.

