

By: Representative Holland

To: Judiciary A;
Appropriations

HOUSE BILL NO. 730

1 AN ACT TO AMEND SECTION 9-5-7, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE FOR POSTS IN THE FIRST CHANCERY COURT DISTRICT; TO AMEND
3 SECTIONS 23-15-982 AND 23-15-983, MISSISSIPPI CODE OF 1972, IN
4 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 9-5-7, Mississippi Code of 1972, is
7 amended as follows:

8 9-5-7. There shall be three (3) chancellors for the First
9 Chancery Court District. For the purposes of appointment and
10 election the three (3) chancellorships shall be separate and
11 distinct and denominated for purposes of appointment and election
12 only as "Place One," "Place Two" and "Place Three."

13 **SECTION 2.** Section 23-15-982, Mississippi Code of 1972, is
14 amended as follows:

15 23-15-982. (1) Majority of vote equals any excess of the
16 total vote for all candidates divided by the number of judgeships
17 to be filled divided by two (2).

18 If some or all candidates in a multijudge election do not
19 receive a majority of the vote, then candidates equal in number to
20 twice the number of remaining positions to be filled and having
21 the highest votes shall run in a runoff election. In such event,
22 if there is not a sufficient number of remaining candidates equal
23 to twice the number of remaining positions to be filled, then all
24 remaining candidates shall run in the runoff election.

25 (2) Any tie votes which require resolution to determine who
26 shall enter a runoff election shall be determined by the
27 commissioners of election in the manner prescribed by Sections
28 23-15-601 and 23-15-605.



29 Candidates equal to the remaining number of positions to be
30 filled who have the highest votes in the runoff election are
31 elected.

32 Any tie votes which must be determined in order to decide who
33 is elected as a result of a runoff election shall be determined by
34 the State Election Commission in the manner prescribed by Sections
35 23-15-601 and 23-15-605.

36 (3) The provisions of this section shall apply only to
37 districts and subdistricts which are multijudge districts except
38 for the First, Eighth, Tenth, Sixteenth and Twentieth Chancery
39 Court Districts and the Second, Eighth and Nineteenth Circuit
40 Court Districts.

41 **SECTION 3.** Section 23-15-983, Mississippi Code of 1972, is
42 amended as follows:

43 23-15-983. At the general election, the candidates equal to
44 the number of positions to be filled and having the highest votes
45 shall be elected.

46 Any tie votes in the general election which must be resolved
47 in order to determine who is elected shall be resolved in the
48 manner prescribed by Sections 23-15-601 and 23-15-605.

49 The provisions of this section shall apply only to districts
50 and subdistricts which are multijudge districts except for the
51 First, Eighth, Tenth, Sixteenth and Twentieth Chancery Court
52 Districts and the Second, Eighth and Nineteenth Circuit Court
53 Districts.

54 **SECTION 4.** The Attorney General of the State of Mississippi
55 shall submit this act, immediately upon approval by the Governor,
56 or upon approval by the Legislature subsequent to a veto, to the
57 Attorney General of the United States or to the United States
58 District Court for the District of Columbia in accordance with the
59 provisions of the Voting Rights Act of 1965, as amended and
60 extended.



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

