

By: Representative Snowden

To: Apportionment and
Elections; Judiciary A

HOUSE BILL NO. 846

1 AN ACT TO AMEND SECTIONS 23-15-297, 23-15-975, 23-15-976,
2 23-15-977 AND 23-15-995, MISSISSIPPI CODE OF 1972, TO REMOVE
3 JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS
4 FROM THE NONPARTISAN JUDICIAL ELECTION ACT; TO PLACE THE FILING
5 FEE FOR CANDIDATES FOR THE OFFICE OF JUDGES OF THE SUPREME COURT
6 AND COURT OF APPEALS IN THE LAW GOVERNING PARTY NOMINATIONS; TO
7 PROVIDE THAT THE CANDIDATE FOR JUSTICE OF THE SUPREME COURT OR
8 JUDGE OF THE COURT OF APPEALS IN THE GENERAL ELECTION RECEIVING
9 THE MOST VOTES SHALL BE DECLARED THE WINNER; TO REMOVE THE
10 PROHIBITION AGAINST PARTIES CAMPAIGNING, ENDORSING OR CONTRIBUTING
11 TO JUDICIAL CANDIDATES; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** Section 23-15-297, Mississippi Code of 1972, is
14 amended as follows:

15 23-15-297. All candidates upon entering the race for party
16 nominations for office shall first pay to the proper officer as
17 provided for in Section 23-15-299 for each primary election the
18 following amounts:

19 (a) Candidates for Governor not to exceed Three Hundred
20 Dollars (\$300.00).

21 (b) Candidates for Lieutenant Governor, Attorney
22 General, Secretary of State, State Treasurer, Auditor of Public
23 Accounts, Commissioner of Insurance, Commissioner of Agriculture
24 and Commerce, State Highway Commissioner and State Public Service
25 Commissioner, not to exceed Two Hundred Dollars (\$200.00).

26 (c) Candidates for district attorney, not to exceed One
27 Hundred Dollars (\$100.00).

28 (d) Candidates for state senator, state representative,
29 sheriff, chancery clerk, circuit clerk, tax assessor, tax
30 collector, county attorney, county superintendent of education and
31 board of supervisors, not to exceed Fifteen Dollars (\$15.00).

32 (e) Candidates for county surveyor, county coroner,
33 justice court judge and constable, not to exceed Ten Dollars
34 (\$10.00).

35 (f) Candidates for United States senator, not to exceed
36 Three Hundred Dollars (\$300.00).

37 (g) Candidates for United States representative, not to
38 exceed Two Hundred Dollars (\$200.00).

39 (h) Candidates for justice of the Supreme Court and
40 judge of the Court of Appeals, not to exceed Two Hundred Dollars
41 (\$200.00).

42 **SECTION 2.** Section 23-15-975, Mississippi Code of 1972, is
43 amended as follows:

44 23-15-975. As used in Sections 23-15-974 through 23-15-985
45 of this subarticle, the term "judicial office" includes the office
46 of * * * circuit judge, chancellor, county court judge and family
47 court judge. All * * * judges shall be full-time positions and
48 such * * * judges shall not engage in the practice of law before
49 any court, administrative agency or other judicial or
50 quasi-judicial forum except as provided by law for finalizing
51 pending cases after election to judicial office.

52 **SECTION 3.** Section 23-15-976, Mississippi Code of 1972, is
53 amended as follows:

54 23-15-976. A judicial office is a nonpartisan office and a
55 candidate for election thereto is prohibited from campaigning or
56 qualifying for such an office based on party affiliation. * * *

57 **SECTION 4.** Section 23-15-977, Mississippi Code of 1972, is
58 amended as follows:

59 23-15-977. (1) All candidates for judicial office as
60 defined in Section 23-15-975 of this subarticle shall file their
61 intent to be a candidate with the proper officials not later than
62 5:00 p.m. on the first Friday after the first Monday in May prior
63 to the general election for judicial office and shall pay to the
64 proper officials the following amounts:

65 * * *

66 (a) Candidates for circuit judge and chancellor, the
67 sum of One Hundred Dollars (\$100.00).

68 (b) Candidates for county judge and family court judge,
69 the sum of Fifteen Dollars (\$15.00).

70 (2) Candidates for judicial offices listed in paragraph
71 (a) * * * of subsection (1) of this section shall file their
72 intent to be a candidate with, and pay the proper assessment made
73 pursuant to subsection (1) of this section to, the State Board of
74 Election Commissioners.

75 (3) Candidates for judicial offices listed in paragraph (b)
76 of subsection (1) of this section shall file their intent to be a
77 candidate with, and pay the proper assessment made pursuant to
78 subsection (1) of this section to, the circuit clerk of the proper
79 county. The circuit clerk shall notify the county commissioners
80 of election of all persons who have filed their intent to be a
81 candidate filed with, and paid the proper assessment to, such
82 clerk. Such notification shall occur within two (2) business days
83 and shall contain all necessary information.

84 **SECTION 5.** Section 23-15-995, Mississippi Code of 1972, is
85 amended as follows:

86 23-15-995. * * * The general laws for the election of state
87 officers shall apply to and govern the election of judges of the
88 Court of Appeals and the Supreme Court except that in the general
89 election the candidate receiving the most votes shall be declared
90 the winner.

91 **SECTION 6.** The Attorney General of the State of Mississippi
92 shall submit this act, immediately upon approval by the Governor,
93 or upon approval by the Legislature subsequent to a veto, to the
94 Attorney General of the United States or to the United States
95 District Court for the District of Columbia in accordance with the
96 provisions of the Voting Rights Act of 1965, as amended and
97 extended.

98 **SECTION 7.** This act shall take effect and be in force from
99 and after the date it is effectuated under Section 5 of the Voting
100 Rights Act of 1965, as amended and extended.