

By: Senator(s) Albritton

To: Judiciary, Division A;  
Appropriations

SENATE BILL NO. 2105

1 AN ACT TO AMEND SECTION 9-7-42, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE AN ADDITIONAL JUDGE FOR THE FIFTEENTH CIRCUIT COURT  
3 DISTRICT; TO AMEND SECTION 23-15-977, MISSISSIPPI CODE OF 1972, TO  
4 PROVIDE THAT A PERSON MAY BE A CANDIDATE FOR ONLY ONE JUDICIAL  
5 POST AT A TIME; TO AMEND SECTIONS 23-15-982 AND 23-15-983,  
6 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 9-7-42, Mississippi Code of 1972, is  
9 amended as follows:

10 9-7-42. There shall be three (3) judges for the Fifteenth  
11 Circuit Court District.

12 **SECTION 2.** Section 23-15-977, Mississippi Code of 1972, is  
13 amended as follows:

14 23-15-977. (1) \* \* \* Candidates for judicial office as  
15 defined in Section 23-15-975 of this subarticle shall file the  
16 intent to be a candidate with the proper officials not later than  
17 5:00 p.m. on the first Friday after the first Monday in May prior  
18 to the general election for judicial office and shall pay to the  
19 proper officials the following amounts:

20 (a) Candidates for Supreme Court judge and Court of  
21 Appeals, the sum of Two Hundred Dollars (\$200.00).

22 (b) Candidates for circuit judge and chancellor, the  
23 sum of One Hundred Dollars (\$100.00).

24 (c) Candidates for county judge and family court judge,  
25 the sum of Fifteen Dollars (\$15.00).

26 (2) Candidates for judicial offices listed in paragraphs (a)  
27 and (b) of subsection (1) of this section shall file the intent to  
28 be a candidate with, and pay the proper assessment made pursuant

29 to subsection (1) of this section to, the State Board of Election  
30 Commissioners.

31 (3) Candidates for judicial offices listed in paragraph (c)  
32 of subsection (1) of this section shall file the intent to be a  
33 candidate with, and pay the proper assessment made pursuant to  
34 subsection (1) of this section to, the circuit clerk of the proper  
35 county. The circuit clerk shall notify the county commissioners  
36 of election of all persons who have filed the intent to be a  
37 candidate with, and paid the proper assessment to, such clerk.  
38 Such notification shall occur within two (2) business days and  
39 shall contain all necessary information.

40 (4) A candidate may qualify for only one (1) judicial  
41 office.

42 **SECTION 3.** Section 23-15-982, Mississippi Code of 1972, is  
43 amended as follows:

44 23-15-982. (1) Majority of vote equals any excess of the  
45 total vote for all candidates divided by the number of judgeships  
46 to be filled divided by two (2).

47 If some or all candidates in a multijudge election do not  
48 receive a majority of the vote, then candidates equal in number to  
49 twice the number of remaining positions to be filled and having  
50 the highest votes shall run in a runoff election. In such event,  
51 if there is not a sufficient number of remaining candidates equal  
52 to twice the number of remaining positions to be filled, then all  
53 remaining candidates shall run in the runoff election.

54 (2) Any tie votes which require resolution to determine who  
55 shall enter a runoff election shall be determined by the  
56 commissioners of election in the manner prescribed by Sections  
57 23-15-601 and 23-15-605.

58 Candidates equal to the remaining number of positions to be  
59 filled who have the highest votes in the runoff election are  
60 elected.

61 Any tie votes which must be determined in order to decide who  
62 is elected as a result of a runoff election shall be determined by  
63 the State Election Commission in the manner prescribed by Sections  
64 23-15-601 and 23-15-605.

65 (3) The provisions of this section shall apply only to  
66 districts and subdistricts which are multijudge districts except  
67 for the Eighth, Tenth, Sixteenth and Twentieth Chancery Court  
68 Districts and the Second, Eighth, Tenth and Nineteenth Circuit  
69 Court Districts.

70 **SECTION 4.** Section 23-15-983, Mississippi Code of 1972, is  
71 amended as follows:

72 23-15-983. At the general election, the candidates equal to  
73 the number of positions to be filled and having the highest votes  
74 shall be elected.

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

78 The provisions of this section shall apply only to districts  
79 and subdistricts which are multijudge districts except for the  
80 Eighth, Tenth, Sixteenth and Twentieth Chancery Court Districts  
81 and the Second, Eighth, Tenth and Nineteenth Circuit Court  
82 Districts.

83 **SECTION 5.** The Attorney General of the State of Mississippi  
84 shall submit this act, immediately upon approval by the Governor,  
85 or upon approval by the Legislature subsequent to a veto, to the  
86 Attorney General of the United States or to the United States  
87 District Court for the District of Columbia in accordance with the  
88 provisions of the Voting Rights Act of 1965, as amended and  
89 extended.

90 **SECTION 6.** This act shall take effect and be in force from  
91 and after the date it is effectuated under Section 5 of the Voting  
92 Rights Act of 1965, as amended and extended.