

Chapter No. 438

10/SS02/R478SG

JN ILH/TA

SENATE BILL NO. 2803

Originated in Senate _____ Secretary

SENATE BILL NO. 2803

AN ACT TO AMEND SECTION 3, CHAPTER 85, LAWS OF 1930, AS AMENDED BY SECTION 3, CHAPTER 574, LAWS OF 1968, TO PROVIDE THAT THE DATE FOR RUNOFF ELECTIONS FOR THE OFFICE OF LEVEE COMMISSIONER FOR THE MISSISSIPPI LEVEE DISTRICT SHALL BE THREE WEEKS AFTER THE GENERAL ELECTION; TO AMEND SECTION 9-5-25, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF CHANCELLORS IN THE SEVENTH CHANCERY COURT DISTRICT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 3, Chapter 85, Laws of 1930, as amended by Section 3, Chapter 574, Laws of 1968, is amended as follows:

Section 3. The elections to be held as provided for in Section 4 and Section 5 of Chapter 85, Laws of 1930, shall be general elections, and runoff general elections shall be held three (3) weeks thereafter. Any candidate who receives a majority of all the votes cast for that office in the general election shall thereby be elected. If no candidate receives such majority of popular votes in the general election then the two (2) candidates who receive the highest popular vote for such office shall have their names submitted as such candidates to the runoff general election, and the candidate who leads in such runoff general election shall thereby be elected to the office. When there is a tie in the first general election of those receiving next highest vote, these two (2) shall be decided by lot, fairly and publicly drawn under the supervision of the commissioners and with the aid of two (2) or more respectable electors, and the candidate determined by lot and the one (1) receiving the highest vote, neither having received a majority, shall go into the runoff general election and whoever leads in such runoff general election shall thereby be elected. The provisions of this chapter shall in

no way amend any chapter regulating the Yazoo Mississippi Delta
Levee District.

SECTION 2. Section 9-5-25, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2011, this section shall read as follows:]

9-5-25. There shall be two (2) chancellors for the Seventh Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

[From and after January 1, 2011, provided Laws of 2005, Chapter 501, is effectuated under Section 5 of the Voting Rights Act of 1965, this section shall read as follows:]

9-5-25. * * * There shall be three (3) chancellors for the Seventh Chancery Court District. The three (3) chancellorships shall be separate and distinct. One (1) chancellor shall be elected from Subdistrict 7-1 and shall be denominated for purposes of appointment and election only as "Place One," and two (2) chancellors shall be elected from Subdistrict 7-2 and shall be denominated for purposes of appointment and election only as "Place Two" and "Place Three."

* * *

SECTION 3. The Attorney General of the State of Mississippi shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

SECTION 4. This act shall take effect and be in force from

and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended.

PASSED BY THE SENATE
February 9, 2010



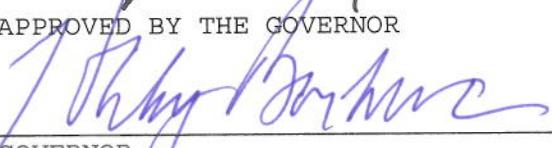
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 5, 2010

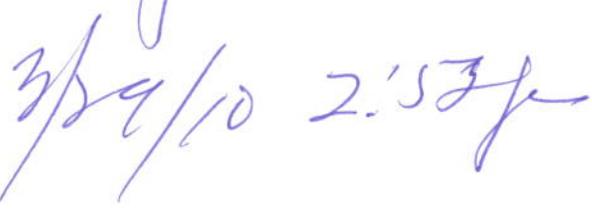


SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR


3/29/10 2:53 p