

By: Representative Green (96th)

To: Judiciary B

HOUSE BILL NO. 884

1 AN ACT TO AMEND SECTIONS 13-3-111 AND 13-3-113, MISSISSIPPI  
2 CODE OF 1972, TO ELIMINATE THE RESPONSIBILITY OF SHERIFFS FOR  
3 EFFECTUATING EXECUTIONS ON JUDGMENTS AND DECREES RENDERED IN  
4 COURTS OF LAW OR EQUITY; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 13-3-111, Mississippi Code of 1972, is  
7 amended as follows:

8 13-3-111. The clerks of all courts of law or equity, after  
9 the adjournment of the court for the term shall, at the request  
10 and cost of the owner of the judgment or decree or his attorney,  
11 issue executions on all judgments and decrees rendered therein,  
12 and place the same in the hands of any proper officer of the  
13 county other than the sheriff of the county. The officer shall  
14 effectuate any execution on a judgment. If requested by such  
15 owner, they shall issue executions directed to any proper officer  
16 of any other county other than the sheriff \* \* \* and shall deliver  
17 the same to the owner or his attorney.

18 SECTION 2. Section 13-3-113, Mississippi Code of 1972, is  
19 amended as follows:

20 13-3-113. Writs of execution shall bear date and be issued  
21 in the same manner as original process, and shall be made  
22 returnable on the first day of the next term of the court in which  
23 the judgment or decree was rendered, if there be fifteen (15) days  
24 between the issuance and return thereof, and, if not, on the first  
25 day of the term next thereafter. Such execution may be directed  
26 to the \* \* \* proper officer of any county, who shall serve and  
27 execute the same, and make return thereof to the court in which

28 the judgment or decree was rendered.

29 SECTION 3. This act shall take effect and be in force from  
30 and after July 1, 1999.