

By: Williamson, Dickerson, Walls, Jordan,
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To: Judiciary

SENATE BILL NO. 2563

1 AN ACT TO CREATE NEW SECTION 11-1-67, MISSISSIPPI CODE OF
2 1972, TO PROVIDE FOR AND RESTRICT THE CONTRACTUAL WAIVER OF
3 CONSTITUTIONAL RIGHTS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. The following shall be codified as Section
6 11-1-67, Mississippi Code of 1972:[CSQ1]

7 11-1-67. The contractual waiver of any constitutional right
8 must be knowing, intelligent, and voluntary by all parties. It
9 must be specifically limited to the subject matter of the
10 contract. A general waiver is void. The burden of proof is on
11 the party asserting the waiver of any constitutional right.

12 SECTION 2. This act shall take effect and be in force from
13 and after July 1, 2000.