

By: Hyde-Smith

To: County Affairs;
Judiciary

SENATE BILL NO. 2994

1 AN ACT TO AMEND SECTION 13-3-83, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT SHERIFFS ARE NOT AUTHORIZED TO EXECUTE PROCESS IN THE
3 JUSTICE COURTS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 13-3-83, Mississippi Code of 1972, is
6 amended as follows:[CSQ1]

7 13-3-83. (1) All notices provided for by law appertaining
8 to actions, suits or proceedings of any kind in any court other
9 than justice court shall be served and returned by the sheriff or
10 any constable of the county, or the marshal of any city, town or
11 village therein in which such notices are to be served, to whom
12 such notices may be delivered for that purpose. However, service
13 of summonses and subpoenas in all courts except justice court
14 shall be governed by the Mississippi Rules of Civil Procedure and
15 in every instance, every order required by its terms to be served,
16 every pleading subsequent to the original complaint unless the
17 court otherwise orders because of numerous defendants, every paper
18 relating to discovery required to be served upon a party unless
19 the court otherwise orders, every written motion other than one
20 which may be heard ex parte, and every written notice, appearance,
21 demand, offer of judgment, designation of record on appeal and
22 similar paper shall be served and filed in accordance with the
23 provisions of the Mississippi Rules of Civil Procedure.

24 (2) In justice court, all notices provided for by law
25 appertaining to actions, suits or proceedings of any kind shall be
26 served and returned by any constable of the county, to whom such

27 notices may be delivered for that purpose.

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