HOUSE BILL NO. 1388

AN ACT TO AMEND SECTION 25-4-113, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CIVIL DAMAGES FOR ETHICS VIOLATIONS SHALL NOT EXCEED THE AMOUNT OF THE CONTRACT INVOLVED; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 25-4-113, Mississippi Code of 1972, is amended as follows:

25-4-113. The Attorney General of the State of Mississippi or any governmental entity directly injured by a violation of this act may bring a separate civil action against the public servant or other person or business violating the provisions of this article for recovery of damages suffered as a result of such violation. Further, any pecuniary benefit received by or given by a public servant in violation of this article shall be declared forfeited by a circuit court of competent jurisdiction for the benefit of the governmental entity injured. In the discretion of the court, any judgment for damages or forfeiture of pecuniary benefit may include costs of court, a reasonable amount for all other costs involved and reasonable attorney's fees. Any damages awarded shall not exceed the amount of the contract on which the action is based less the actual costs of the goods.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.