

By: Senator(s) Williamson

To:

SENATE BILL NO. 2594

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:

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

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