

By: Senator(s) Hewes

To: Judiciary

SENATE BILL NO. 2903

1 AN ACT TO AMEND SECTION 11-7-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF ASSIGNEE; AND FOR RELATED PURPOSES.

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

4 SECTION 1. Section 11-7-3, Mississippi Code of 1972, is
5 amended as follows:

6 11-7-3. The assignee of any chose in action may sue for and
7 recover on the same in his own name, if the assignment be in
8 writing. In case of a transfer or an assignment of any interest
9 in such chose in action before or after suit brought, the action
10 may be begun, prosecuted and continued in the name of the original
11 party, or the court may allow the person to whom the transfer or
12 assignment of such interest has been made, upon his application
13 therefor, to be substituted as a party plaintiff in said action.
14 If in any case a transfer or assignment of interest in any demand
15 or chose in action be made in writing before or after suit is
16 filed, to an attorney or firm of attorneys, appearing in the case,
17 it shall be sufficient notice to all parties of such assignment or
18 transfer, if such assignment or transfer be filed with the papers
19 in said cause, and such attorney or attorneys shall not be
20 required to be made parties to said suit. An "assignee" for
21 purposes of this section includes both absolute assignees, with or
22 without recourse, and conditional or limited assignees including
23 assignees for collection purposes.

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