

By: Representative Pierce

To: Judiciary B

HOUSE BILL NO. 813

1 AN ACT TO AMEND SECTION 9-11-10, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT COURT COSTS INVOLVING THE COLLECTION OF A DEBT BY A  
3 BUSINESS IN JUSTICE COURT SHALL BE ASSESSED AT THE CONCLUSION OF  
4 THE HEARING; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 9-11-10, Mississippi Code of 1972, is  
7 amended as follows:

8 9-11-10. (1) No justice court shall have jurisdiction over  
9 any civil suit attempted to be filed therein unless and until all  
10 legally required court costs, as set out, but not restricted to,  
11 Sections 25-7-25 and 25-7-27, Mississippi Code of 1972, are  
12 deposited with the court or assessed as provided in subsection (3)  
13 of this section. The justice court judge shall not file, docket,  
14 issue process, or otherwise assume jurisdiction until such costs  
15 shall have been paid.

16 (2) Any violation shall constitute a misdemeanor wherein the  
17 county court, or in the absence of a county court, the circuit  
18 court shall have jurisdiction. Upon conviction the justice court  
19 judge shall be fined not less than One Hundred Dollars (\$100.00)  
20 nor more than Two Hundred Fifty Dollars (\$250.00).

21 (3) In an action in which a business or creditor files for  
22 the collection of a valid debt from a debtor, the business or  
23 creditor shall not be required to pay initial court costs. The  
24 court shall assess court costs at the conclusion of the hearing.  
25 If the debt is proved to be a valid debt, the court costs shall be  
26 assessed to the debtor. If the creditor fails to prove that the  
27 debt is valid, the court costs shall be assessed to the creditor.



28           **SECTION 2.** This act shall take effect and be in force from  
29 and after July 1, 2002.

