

By: Representative Simpson

To: Judiciary A

HOUSE BILL NO. 1224

1 AN ACT TO CODIFY SECTION 11-11-8, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE FOR VENUE IN MEDICAL MALPRACTICE ACTIONS; TO AMEND
3 SECTION 11-11-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** The following shall be codified as Section
7 11-11-8, Mississippi Code of 1972:

8 11-11-8. Notwithstanding any other venue statute or law that
9 may otherwise apply, except as provided in Section 11-46-13, any
10 malpractice action for damages for injury or wrongful death
11 against any health care provider as that term is defined in
12 Section 11-1-59, even when such malpractice action is joined with
13 other causes of action and/or includes one or more nonhealth care
14 provider defendants, shall be brought in the county in which the
15 alleged negligent act or omission regarding the malpractice of the
16 health care provider occurred.

17 **SECTION 2.** Section 11-11-3, Mississippi Code of 1972, is
18 amended as follows:

19 11-11-3. Except as provided in Section 11-11-8, civil
20 actions of which the circuit court has original jurisdiction shall
21 be commenced in the county in which the defendant or any of them
22 may be found or in the county where the cause of action may occur
23 or accrue and, if the defendant is a domestic corporation, in the
24 county in which said corporation is domiciled or in the county
25 where the cause of action may occur or accrue, except where
26 otherwise provided, and except actions of trespass on land,
27 ejectment and actions for the statutory penalty for cutting and
28 boxing trees and firing woods and actions for the actual value of



29 trees cut which shall be brought in the county where the land or
30 some part thereof is situated. If a civil action is brought in an
31 improper county, such action may be transferred to the proper
32 county pursuant to Section 11-11-17.

33 **SECTION 3.** This act shall take effect and be in force from
34 and after July 1, 2002.

