

By: Representatives Chism, Cameron, Formby,
Jennings, Lott, Martinson, Moore (60th),
Nicholson, Robertson, Robinson (84th)

To: Judiciary A

HOUSE BILL NO. 1279

1 AN ACT TO AMEND SECTION 11-11-3, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY VENUE; TO CREATE SECTION 11-11-61, MISSISSIPPI CODE OF
3 1972, TO ENACT CERTAIN LIMITATIONS ON JOINDER OF PLAINTIFFS; AND
4 FOR RELATED PURPOSES.

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

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

8 11-11-3. Civil actions of which the circuit court has
9 original jurisdiction shall be commenced in the county in which
10 the defendant or any of them reside or in the county where the
11 cause of action may occur or accrue and, if the defendant is a
12 domestic corporation, in the county in which said corporation is
13 domiciled or in the county where the cause of action may occur or
14 accrue, except where otherwise provided, and except actions of
15 trespass on land, ejectment and actions for the statutory penalty
16 for cutting and boxing trees and firing woods and actions for the
17 actual value of trees cut which shall be brought in the county
18 where the land or some part thereof is situated. If a civil
19 action is brought in an improper county, such action may be
20 transferred to the proper county pursuant to Section 11-11-17.

21 **SECTION 2.** The following shall be codified as Section
22 11-11-61, Mississippi Code of 1972:

23 11-11-61. (1) In all civil actions for the recovery of
24 damages brought in any court within the State of Mississippi by a
25 resident or nonresident of the State of Mississippi, persons may
26 not join as plaintiffs in one (1) action unless:

27 (a) They assert a common undivided interest in the
28 claim against the defendant(s); or



29 (b) Their claims arose out of a single transaction or
30 occurrence.

31 (2) If the application of this section, or of any portion of
32 it, to any person or circumstance is held invalid, the invalidity
33 shall not affect the application of this section to other persons
34 or circumstances which can be given effect without the invalid
35 provision or application.

36 (3) This section shall apply to any civil action pending or
37 filed on or after July 1, 2002.

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

