

By: Senator(s) Kirby, Hewes, Gordon, Chaney, White (29th), Canon, King, Michel, Johnson (19th), Scoper, Robertson, Moffatt, Harvey, Nunnelee, Huggins, Mettetal, Minor, Stogner, Hyde-Smith, Ross, Carlton, Browning To: Judiciary

SENATE BILL NO. 2338

1 AN ACT TO CREATE SECTION 11-11-61, MISSISSIPPI CODE OF 1972,  
2 TO ENACT CERTAIN LIMITATIONS ON JOINDER OF PLAINTIFFS; AND FOR  
3 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 11-11-61, Mississippi Code of 1972:

7 11-11-61. (1) In all civil actions for the recovery of  
8 damages brought in any court within the State of Mississippi by a  
9 resident or nonresident of the State of Mississippi, persons may  
10 not join as plaintiffs in one (1) action unless:

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

13 (b) Their claims arose out of a single transaction or  
14 occurrence.

15 (2) If the application of this section, or of any portion of  
16 it, to any person or circumstance is held invalid, the invalidity  
17 shall not affect the application of this section to other persons  
18 or circumstances which can be given effect without the invalid  
19 provision or application.

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

22 SECTION 2. This act shall take effect and be in force from  
23 and after July 1, 2002.

