SENATE BILL NO. 2340

AN ACT TO CREATE SECTION 11-1-67, MISSISSIPPI CODE OF 1972, TO IMPOSE A LIMITATION ON THE AMOUNT OF PUNITIVE DAMAGES IN A CIVIL ACTION; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 11-1-67, Mississippi Code of 1972.

11-1-67. (1) Any award of punitive damages shall not exceed the greater of three (3) times the amount of the total compensatory damages awarded to the plaintiff in an action or Five Hundred Thousand Dollars ($500,000.00), whichever is greater; however, if the defendant is an individual or a business with less than fifty (50) full-time employees, an award of punitive damages shall not exceed three (3) times the amount of the plaintiff’s compensatory damages or Five Hundred Thousand Dollars ($500,000.00), whichever is less, unless the finder of fact and court find by clear and convincing evidence that the defendant acted with criminal intent to cause serious physical bodily injury. This restriction shall not be disclosed to the trier of fact, but shall be applied by the court to any punitive damages verdict.

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

(3) This section shall apply to any civil action pending or filed on or after July 1, 2002.
SECTION 2. This act shall take effect and be in force from and after July 1, 2002.