

By: Senator(s) Turner, Smith

To: Select Senate Cmte on  
Civil Justice Syst

SENATE BILL NO. 2005

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

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

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

7 11-11-3. (1) Except as provided in subsection (2) of this  
8 section, civil actions of which the circuit court has original  
9 jurisdiction shall be commenced in the county in which the  
10 defendant or any of them may be found 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 (2) Notwithstanding any other venue statute or law that may  
22 otherwise apply, except as provided in Section 11-46-13, any  
23 malpractice action for damages for injury or wrongful death  
24 against any health care provider as that term is defined in  
25 Section 11-1-59, even when such malpractice action is joined with  
26 other causes of action or includes one or more nonhealth care  
27 provider defendants, shall be brought in the county in which the



28 alleged negligent act or omission regarding the malpractice of the  
29 health care provider is alleged to have occurred.

30         **SECTION 2.** This act shall take effect and be in force from  
31 and after January 1, 2003.

