

By: Senator(s) Turner, Smith

To: Select Senate Cmte on  
Civil Justice Syst

SENATE BILL NO. 2006

1 AN ACT TO DECLARE CONFIDENTIAL SETTLEMENT AGREEMENTS VOID AND  
2 UNENFORCEABLE AS VIOLATIVE OF PUBLIC POLICY; AND FOR RELATED  
3 PURPOSES.

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

5 **SECTION 1.** In any contract or agreement purporting to settle  
6 any claim or controversy arising from alleged malpractice,  
7 negligence, error, omission, mistake or the unauthorized rendering  
8 of professional services of a provider of health care, a clause  
9 pertaining to confidentiality of the settlement terms or  
10 nondisclosure of the settlement terms shall be void and  
11 unenforceable as contrary to public policy; the remaining terms of  
12 any such agreement not attempting to impose a duty of  
13 confidentiality or nondisclosure on any party shall be enforceable  
14 if not otherwise violative of law.

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

