

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

House Bill NO. 11

By Senator(s) Committee

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

33 **SECTION 1.** Section 11-11-3, Mississippi Code of 1972, as
34 amended by House Bill No. 2, 2002 Third Extraordinary Session, is
35 amended as follows:

36 11-11-3. (1) Civil actions of which the circuit court has
37 original jurisdiction shall be commenced * * * in the county where
38 the alleged act or omission occurred or where the event that
39 caused the injury occurred * * *. Civil actions against a
40 nonresident may also be commenced in the county where the
41 plaintiff resides or is domiciled. Civil actions alleging a
42 defective product may also be commenced in the county where the
43 plaintiff obtained the product.

44 * * *

45 (2) If a civil action is brought in an improper county, such
46 action may be transferred to the proper county pursuant to Section
47 11-11-17.

48 **SECTION 2.** Sections 11-11-5, 11-11-7, 11-11-11 and 11-11-13,
49 Mississippi Code of 1972, which provide venue in actions against
50 nonresidents, nonresident motorists, railroads and insurance
51 companies, are hereby repealed.

52 **SECTION 3.** Section 85-5-7, Mississippi Code of 1972, as

53 amended by House Bill No. 2, Third Extraordinary Session 2002, is
54 amended as follows:

55 85-5-7. (1) As used in this section "fault" means an act or
56 omission of a person which is a proximate cause of injury or death
57 to another person or persons, damages to property, tangible or
58 intangible, or economic injury, including, but not limited to,
59 negligence, malpractice, strict liability, absolute liability or
60 failure to warn. "Fault" shall not include any tort which results
61 from an act or omission committed with a specific wrongful intent.

62 (2) Except as may be otherwise provided in subsections (6)
63 and (8) of this section, in any civil action based on fault, the
64 liability for damages caused by two (2) or more persons shall be
65 joint and several only to the extent necessary for the person
66 suffering injury, death or loss to recover fifty percent (50%) of
67 his recoverable damages.

68 (3) Except as otherwise provided in subsections (2), (6) and
69 (8) of this section, in any civil action based on fault, the
70 liability for damages caused by two (2) or more persons shall be
71 several only, and not joint and several and a joint tort-feasor
72 shall be liable only for the amount of damages allocated to him in
73 direct proportion to his percentage of fault. In assessing
74 percentages of fault an employer and the employer's employee or a
75 principal and the principal's agent shall be considered as one (1)
76 defendant when the liability of such employer or principal has
77 been caused by the wrongful or negligent act or omission of the
78 employee or agent.

79 (4) Any defendant held jointly liable under this section
80 shall have a right of contribution against fellow joint
81 tort-feasors. A defendant shall be held responsible for
82 contribution to other joint tort-feasors only for the percentage
83 of fault assessed to such defendant.

84 (5) Nothing in this section shall eliminate or diminish any
85 defenses or immunities which currently exist, except as expressly
86 noted herein.

87 (6) Joint and several liability shall be imposed on all who

88 consciously and deliberately pursue a common plan or design to
89 commit a tortious act, or actively take part in it. Any person
90 held jointly and severally liable under this section shall have a
91 right of contribution from his fellow defendants acting in
92 concert.

93 (7) In actions involving joint tort-feasors, the trier of
94 fact shall determine the percentage of fault for each party
95 alleged to be at fault.

96 (8) Except as provided in subsection (6) of this section, in
97 any action * * * involving joint tort-feasors, the trier of fact
98 shall determine the percentage of fault for each joint
99 tort-feasor, including named parties and absent tort-feasors,
100 without regard to whether the joint tort-feasor is immune from
101 damages. For noneconomic damages, a defendant's liability shall
102 be several only. For economic damages, for any defendant whose
103 fault is determined to be less than thirty percent (30%),
104 liability shall be several only and for any defendant whose fault
105 is determined to be thirty percent (30%) or more, liability shall
106 be joint and several only to the extent necessary for the person
107 suffering injury, death or loss to recover fifty percent (50%) of
108 his recoverable damages. Fault allocated under this subsection to
109 an immune tort-feasor or a tort-feasor whose liability is limited
110 by law shall not be reallocated to any other tort-feasor.

111 (9) Nothing in this section shall be construed to create a
112 cause of action. Nothing in this section shall be construed, in
113 any way, to alter the immunity of any person.

114 **SECTION 4.** Section 11-1-63, Mississippi Code of 1972, is
115 amended as follows:

116 11-1-63. In any action for damages caused by a product
117 except for commercial damage to the product itself:

118 (a) The manufacturer or seller of the product shall not
119 be liable if the claimant does not prove by the preponderance of
120 the evidence that at the time the product left the control of the
121 manufacturer or seller:

122 (i) 1. The product was defective because it

123 deviated in a material way from the manufacturer's specifications
124 or from otherwise identical units manufactured to the same
125 manufacturing specifications, or

126 2. The product was defective because it
127 failed to contain adequate warnings or instructions, or

128 3. The product was designed in a defective
129 manner, or

130 4. The product breached an express warranty
131 or failed to conform to other express factual representations upon
132 which the claimant justifiably relied in electing to use the
133 product; and

134 (ii) The defective condition rendered the product
135 unreasonably dangerous to the user or consumer; and

136 (iii) The defective and unreasonably dangerous
137 condition of the product proximately caused the damages for which
138 recovery is sought.

139 (b) A product is not defective in design or formulation
140 if the harm for which the claimant seeks to recover compensatory
141 damages was caused by an inherent characteristic of the product
142 which is a generic aspect of the product that cannot be eliminated
143 without substantially compromising the product's usefulness or
144 desirability and which is recognized by the ordinary person with
145 the ordinary knowledge common to the community.

146 (c) (i) In any action alleging that a product is
147 defective because it failed to contain adequate warnings or
148 instructions pursuant to paragraph (a)(i)2 of this section, the
149 manufacturer or seller shall not be liable if the claimant does
150 not prove by the preponderance of the evidence that at the time
151 the product left the control of the manufacturer or seller, the
152 manufacturer or seller knew or in light of reasonably available
153 knowledge should have known about the danger that caused the
154 damage for which recovery is sought and that the ordinary user or
155 consumer would not realize its dangerous condition.

156 (ii) An adequate product warning or instruction is
157 one that a reasonably prudent person in the same or similar

158 circumstances would have provided with respect to the danger and
159 that communicates sufficient information on the dangers and safe
160 use of the product, taking into account the characteristics of,
161 and the ordinary knowledge common to an ordinary consumer who
162 purchases the product; or in the case of a prescription drug,
163 medical device or other product that is intended to be used only
164 under the supervision of a physician or other licensed
165 professional person, taking into account the characteristics of,
166 and the ordinary knowledge common to, a physician or other
167 licensed professional who prescribes the drug, device or other
168 product.

169 (d) In any action alleging that a product is defective
170 pursuant to paragraph (a) of this section, the manufacturer or
171 seller shall not be liable if the claimant (i) had knowledge of a
172 condition of the product that was inconsistent with his safety;
173 (ii) appreciated the danger in the condition; and (iii)
174 deliberately and voluntarily chose to expose himself to the danger
175 in such a manner to register assent on the continuance of the
176 dangerous condition.

177 (e) In any action alleging that a product is defective
178 pursuant to paragraph (a)(i)2 of this section, the manufacturer or
179 seller shall not be liable if the danger posed by the product is
180 known or is open and obvious to the user or consumer of the
181 product, or should have been known or open and obvious to the user
182 or consumer of the product, taking into account the
183 characteristics of, and the ordinary knowledge common to, the
184 persons who ordinarily use or consume the product.

185 (f) In any action alleging that a product is defective
186 because of its design pursuant to paragraph (a)(i)3 of this
187 section, the manufacturer or product seller shall not be liable if
188 the claimant does not prove by the preponderance of the evidence
189 that at the time the product left the control of the manufacturer
190 or seller:

191 (i) The manufacturer or seller knew, or in light
192 of reasonably available knowledge or in the exercise of reasonable

193 care should have known, about the danger that caused the damage
194 for which recovery is sought; and

195 (ii) The product failed to function as expected
196 and there existed a feasible design alternative that would have to
197 a reasonable probability prevented the harm. A feasible design
198 alternative is a design that would have to a reasonable
199 probability prevented the harm without impairing the utility,
200 usefulness, practicality or desirability of the product to users
201 or consumers.

202 (g) (i) The manufacturer of a product who is found
203 liable for a defective product pursuant to paragraph (a) shall
204 indemnify a product seller for the costs of litigation, any
205 reasonable expenses, reasonable attorney's fees and any damages
206 awarded by the trier of fact unless the seller exercised
207 substantial control over that aspect of the design, testing,
208 manufacture, packaging or labeling of the product that caused the
209 harm for which recovery of damages is sought; the seller altered
210 or modified the product, and the alteration or modification was a
211 substantial factor in causing the harm for which recovery of
212 damages is sought; the seller had actual knowledge of the
213 defective condition of the product at the time he supplied same;
214 or the seller made an express factual representation about the
215 aspect of the product which caused the harm for which recovery of
216 damages is sought.

217 (ii) Subparagraph (i) shall not apply unless the
218 seller has given prompt notice of the suit to the manufacturer
219 within ninety (90) days of the service of the complaint against
220 the seller.

221 (h) In any action alleging that a product is defective
222 pursuant to paragraph (a) of this section, an evidentiary hearing
223 may be requested by a product seller within ninety (90) days of
224 the filing of the answer to determine if the seller of the product
225 is an innocent seller. The product seller shall not be liable for
226 any latent defect if the seller is a mere conduit who purchases
227 the product from a reputable manufacturer and shall be dismissed

228 from the action.

229 (i) Nothing in this section shall be construed to
230 eliminate any common law defense to an action for damages caused
231 by a product.

232 **SECTION 5.** Section 7 of House Bill No. 2, 2002 Third
233 Extraordinary Session, is amended as follows:

234 Section 7. (1) For the purposes of this section, the
235 following words and phrases shall have the meanings ascribed
236 herein unless the context clearly requires otherwise:

237 (a) "Noneconomic damages" means subjective,
238 nonpecuniary damages arising from death, pain, suffering,
239 inconvenience, mental anguish, worry, emotional distress, loss of
240 society and companionship, loss of consortium, bystander injury,
241 physical impairment, injury to reputation, humiliation,
242 embarrassment, loss of the enjoyment of life, hedonic damages,
243 other nonpecuniary damages, and any other theory of damages such
244 as fear of loss, illness or injury. The term "noneconomic
245 damages" shall not include damages for disfigurement, nor does it
246 include punitive or exemplary damages.

247 (b) "Actual economic damages" means objectively
248 verifiable pecuniary damages arising from medical expenses and
249 medical care, rehabilitation services, custodial care,
250 disabilities, loss of earnings and earning capacity, loss of
251 income, burial costs, loss of use of property, costs of repair or
252 replacement of property, costs of obtaining substitute domestic
253 services, loss of employment, loss of business or employment
254 opportunities, and other objectively verifiable monetary losses.

255 * * *

256 (2) (a) In any civil action for injury * * * if the trier
257 of fact finds the defendant liable, they shall not award the
258 plaintiff more than the following for noneconomic damages:

259 (i) For claims for causes of action filed on or
260 after the effective date of House Bill No. 11, 2002 Third
261 Extraordinary Session, but before July 1, 2011, the sum of Five
262 Hundred Thousand Dollars (\$500,000.00);

263 (ii) For claims for causes of action filed on or
264 after July 1, 2011, but before July 1, 2017, the sum of Seven
265 Hundred Fifty Thousand Dollars (\$750,000.00);

266 (iii) For claims for causes of action filed on or
267 after July 1, 2017, the sum of One Million Dollars
268 (\$1,000,000.00).

269 (b) The trier of fact shall not be advised of the
270 limitations imposed by this subsection (2) and the judge shall
271 appropriately reduce any award of noneconomic damages that exceeds
272 the applicable limitation.

273 (3) The limitation on noneconomic damages set forth in
274 subsection (2) shall not apply in cases where the judge determines
275 that a jury may impose punitive damages.

276 (4) Nothing in this section shall be construed to impose a
277 limitation on damages for disfigurement or actual economic
278 damages.

279 **SECTION 6.** No owner, occupant, lessee or managing agent of
280 property shall be civilly liable for the criminal acts of a third
281 party, unless such owner, occupant, lessee or managing agent knew
282 or, with the exercise of reasonable care, should have known of the
283 risk of criminal conduct on such property and the failure to
284 exercise reasonable care to deter such foreseeable conduct is a
285 proximate cause of damages to an individual or entity.

286 **SECTION 7.** Civil actions in circuit, chancery and county
287 court shall not be assigned to a judge until at least one (1)
288 defendant has filed a responsive pleading. However, any necessary
289 preliminary matters may be decided by a judge on a separate
290 rotating basis before assignment of the action to a particular
291 judge.

292 **SECTION 8.** (1) The authority to bring an action against any
293 firearms or ammunition manufacturer, distributor or dealer duly
294 licensed under federal law on behalf of any governmental entity
295 created by or pursuant to an act of the Mississippi Legislature or
296 the Mississippi Constitution of 1890, or any department, agency or
297 authority thereof, for damages, abatement, injunctive relief or

298 any other relief or remedy resulting from or relating to the
299 lawful design, manufacture, distribution or sale of firearms,
300 firearm components, silencers, ammunition or ammunition components
301 to the public, shall be exclusively reserved to the state. This
302 section shall not prohibit a political subdivision from bringing
303 an action against a firearm or ammunition manufacturer,
304 distributor or dealer for breach of contract or warranty as to
305 firearms or ammunition purchased by the political subdivision, or
306 for injuries resulting from a firearm malfunction due to defects
307 in materials or workmanship.

308 (2) "Political subdivision" and "governmental entity" shall
309 have the meanings ascribed in Section 11-46-1.

310 **SECTION 9.** (1) In any civil action for personal injury
311 there may be a recovery for pain and suffering and loss of
312 enjoyment of life. However, there shall be no recovery for loss
313 of enjoyment of life as a separate element of damages apart from
314 pain and suffering damages, and there shall be no instruction
315 given to the jury which separates loss of enjoyment of life from
316 pain and suffering. The determination of the existence and extent
317 of recovery for pain and suffering and loss of enjoyment of life
318 shall be a question for the finder of fact, subject to appellate
319 review, and shall not be made the subject of expert testimony.

320 (2) In any wrongful death action, there shall be no recovery
321 for loss of enjoyment of life caused by death.

322 **SECTION 10.** Section 11-7-13, Mississippi Code of 1972, is
323 amended as follows:

324 11-7-13. Whenever the death of any person shall be caused by
325 any real, wrongful or negligent act or omission, or by such unsafe
326 machinery, way or appliances as would, if death had not ensued,
327 have entitled the party injured or damaged thereby to maintain an
328 action and recover damages in respect thereof, or whenever the
329 death of any person shall be caused by the breach of any warranty,
330 express or implied, of the purity or fitness of any foods, drugs,
331 medicines, beverages, tobacco or any and all other articles or
332 commodities intended for human consumption, as would, had the

333 death not ensued, have entitled the person injured or made ill or
334 damaged thereby, to maintain an action and recover damages in
335 respect thereof, and such deceased person shall have left a widow
336 or children or both, or husband or father or mother, or sister, or
337 brother, the person or corporation, or both that would have been
338 liable if death had not ensued, and the representatives of such
339 person shall be liable for damages, notwithstanding the death, and
340 the fact that death was instantaneous shall in no case affect the
341 right of recovery. The action for such damages may be brought in
342 the name of the personal representative of the deceased person for
343 the benefit of all persons entitled under the law to recover, or
344 by widow for the death of her husband, or by the husband for the
345 death of the wife, or by the parent for the death of a child, or
346 in the name of a child, or in the name of a child for the death of
347 a parent, or by a brother for the death of a sister, or by a
348 sister for the death of a brother, or by a sister for the death of
349 a sister, or a brother for the death of a brother, or all parties
350 interested may join in the suit, and there shall be but one (1)
351 suit for the same death which shall ensue for the benefit of all
352 parties concerned, but the determination of such suit shall not
353 bar another action unless it be decided on its merits. Except as
354 otherwise provided in Section 9 of House Bill No. 11, 2002 Third
355 Extraordinary Session, in such action the party or parties suing
356 shall recover such damages allowable by law as the jury may
357 determine to be just, taking into consideration all the damages of
358 every kind to the decedent and all damages of every kind to any
359 and all parties interested in the suit.

360 This section shall apply to all personal injuries of servants
361 and employees received in the service or business of the master or
362 employer, where such injuries result in death, and to all deaths
363 caused by breach of warranty, either express or implied, of the
364 purity and fitness of foods, drugs, medicines, beverages, tobacco
365 or other articles or commodities intended for human consumption.

366 Any person entitled to bring a wrongful death action may
367 assert or maintain a claim for any breach of expressed warranty or

368 for any breach of implied warranty. A wrongful death action may
369 be maintained or asserted for strict liability in tort or for any
370 cause of action known to the law for which any person,
371 corporation, legal representative or entity would be liable for
372 damages if death had not ensued.

373 In an action brought pursuant to the provisions of this
374 section by the widow, husband, child, father, mother, sister or
375 brother of the deceased, or by all interested parties, such party
376 or parties may recover as damages property damages and funeral,
377 medical or other related expenses incurred by or for the deceased
378 as a result of such wrongful or negligent act or omission or
379 breach of warranty, whether an estate has been opened or not. Any
380 amount, but only such an amount, as may be recovered for property
381 damage, funeral, medical or other related expenses shall be
382 subject only to the payment of the debts or liabilities of the
383 deceased for property damages, funeral, medical or other related
384 expenses. All other damages recovered under the provisions of
385 this section shall not be subject to the payment of the debts or
386 liabilities of the deceased, except as hereinafter provided, and
387 such damages shall be distributed as follows:

388 Damages for the injury and death of a married man shall be
389 equally distributed to his wife and children, and if he has no
390 children all shall go to his wife; damages for the injury and
391 death of a married woman shall be equally distributed to the
392 husband and children, and if she has no children all shall go to
393 the husband; and if the deceased has no husband or wife, the
394 damages shall be equally distributed to the children; if the
395 deceased has no husband, nor wife, nor children, the damages shall
396 be distributed equally to the father, mother, brothers and
397 sisters, or such of them as the deceased may have living at his or
398 her death. If the deceased have neither husband, nor wife, nor
399 children, nor father, nor mother, nor sister, nor brother, then
400 the damages shall go to the legal representative, subject to debts
401 and general distribution, and the fact that the deceased was
402 instantly killed shall not affect the right of the legal

403 representative to recover. All references in this section to
404 children shall include descendants of a deceased child, such
405 descendants to take the share of the deceased child by
406 representation. There shall not be, in any case, a distinction
407 between the kindred of the whole and half blood of equal degree.
408 The provisions of this section shall apply to illegitimate
409 children on account of the death of the mother and to the mother
410 on account of the death of an illegitimate child or children, and
411 they shall have all the benefits, rights and remedies conferred by
412 this section on legitimates. The provisions of this section shall
413 apply to illegitimate children on account of the death of the
414 natural father and to the natural father on account of the death
415 of the illegitimate child or children, and they shall have all the
416 benefits, rights and remedies conferred by this section on
417 legitimates, if the survivor has or establishes the right to
418 inherit from the deceased under Section 91-1-15.

419 Any rights which a blood parent or parents may have under
420 this section are hereby conferred upon and vested in an adopting
421 parent or adopting parents surviving their deceased adopted child,
422 just as if the child were theirs by the full blood and had been
423 born to the adopting parents in lawful wedlock.

424 **SECTION 11.** The Legislature recognizes that attorneys should
425 be licensed by the State of Mississippi before engaging in any
426 solicitation of clients in this state. Such licensing of
427 attorneys protects the people of Mississippi in that The
428 Mississippi Bar has direct jurisdiction over attorneys licensed by
429 it. The Mississippi Supreme Court can act against such licensed
430 attorneys in the event that such licensed attorneys commit
431 violations of Mississippi law, court rules and rules of ethics for
432 attorneys. The Legislature finds that this section is necessary
433 for the protection of the people of Mississippi. An attorney who
434 is not admitted to The Mississippi Bar shall not advertise his
435 legal services in this state for the purpose of soliciting
436 prospective clients for commencement of any civil action in this
437 state, or for the purpose of soliciting clients for any civil

438 action already commenced or pending in this state, unless the
439 attorney who is not a member of The Mississippi Bar has associated
440 an attorney who (a) is a member of The Mississippi Bar; and (b)
441 will be associated and actively working on substantial aspects in
442 any civil action filed on behalf of a client solicited as a result
443 of the advertisement. A law firm composed of both attorneys who
444 are members of The Mississippi Bar and attorneys who are not
445 members of The Mississippi Bar may advertise in this state if a
446 majority of the members of the firm are members of The Mississippi
447 Bar. For purposes of this section, a listing in the residential
448 or business section of the white pages of a telephone book shall
449 not be an advertisement.

450 **SECTION 12.** If a party files any pleading in a civil action
451 which in the opinion of the court is frivolous, the court may
452 impose an assessment of not more than One Thousand Dollars
453 (\$1,000.00) against each party and attorney of record for the
454 party filing the pleading. Such assessment shall be in addition
455 to any other assessments, penalties or sanctions authorized by law
456 or otherwise. The proceeds of any assessment imposed under this
457 section shall be paid to the Mississippi Volunteer Lawyers
458 Project, Inc.

459 **SECTION 13.** Sections 11-3-23 and 11-3-25, Mississippi Code
460 of 1972, which provide for the assessment of a penalty on the
461 appeal of certain judgments to the Supreme Court, are repealed.

462 **SECTION 14.** If any provision of this act is held by a court
463 to be invalid, such invalidity shall not affect the remaining
464 provisions of this act, and to this end the provisions of this act
465 are declared severable.

466 **SECTION 15.** This act shall take effect and be in force from
467 and after January 1, 2003, and shall apply to all causes of action
468 filed on or after that date.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

3 REVERSE THE VENUE IN GENERAL CIVIL ACTIONS; TO REPEAL SECTIONS
4 11-11-5, 11-11-7, 11-11-11 AND 11-11-13, MISSISSIPPI CODE OF 1972,
5 WHICH PROVIDE VENUE IN ACTIONS AGAINST NONRESIDENTS, NONRESIDENT
6 MOTORISTS, RAILROADS AND INSURANCE COMPANIES; TO AMEND SECTION
7 85-5-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 2,
8 2002 THIRD EXTRAORDINARY SESSION, TO REVISE THE LIMITATION OF
9 JOINT AND SEVERAL LIABILITY FOR DAMAGES CAUSED BY TWO OR MORE
10 PERSONS; TO AMEND SECTION 11-1-63, MISSISSIPPI CODE OF 1972, TO
11 REVISE THE REQUIRED TIME OF NOTICE TO A MANUFACTURER IN ORDER FOR
12 A SELLER TO BE INDEMNIFIED, AND TO PROVIDE FOR AN EVIDENTIARY
13 HEARING TO DETERMINE IF A SELLER OF A PRODUCT IS AN INNOCENT
14 SELLER; TO AMEND SECTION 7 OF HOUSE BILL NO. 2, 2002 THIRD
15 EXTRAORDINARY SESSION, TO PROVIDE LIMITATIONS ON NONECONOMIC
16 DAMAGES IN CIVIL ACTIONS OTHER THAN MALPRACTICE OR BREACH OF
17 STANDARD OF CARE ACTIONS AGAINST A PROVIDER OF HEALTH CARE; TO
18 PROVIDE IMMUNITY FOR A PREMISES OWNER UNDER CERTAIN CIRCUMSTANCES;
19 TO PROVIDE THAT CIVIL ACTIONS SHALL NOT BE ASSIGNED TO A JUDGE
20 UNTIL AT LEAST ONE DEFENDANT HAS FILED A RESPONSIVE PLEADING; TO
21 PROVIDE THAT THE AUTHORITY TO SUE ANY FIREARMS OR AMMUNITION
22 MANUFACTURER, DISTRIBUTOR OR DEALER ON BEHALF OF LOCAL
23 GOVERNMENTAL ENTITIES FOR CERTAIN CAUSES OF ACTION SHALL BE
24 EXCLUSIVELY RESERVED TO THE STATE; TO PROHIBIT RECOVERY OF HEDONIC
25 DAMAGES IN CIVIL ACTIONS; TO AMEND SECTION 11-7-13, MISSISSIPPI
26 CODE OF 1972, IN CONFORMITY THERETO; TO PROHIBIT ATTORNEY
27 ADVERTISING BY ATTORNEYS NOT ADMITTED TO PRACTICE IN MISSISSIPPI;
28 TO PROVIDE AN ASSESSMENT FOR FILING FRIVOLOUS CLAIMS; TO REPEAL
29 SECTIONS 11-3-23 AND 11-3-25, MISSISSIPPI CODE OF 1972, WHICH
30 PROVIDE FOR THE ASSESSMENT OF A PENALTY ON CERTAIN JUDGMENTS
31 APPEALED TO THE SUPREME COURT; AND FOR RELATED PURPOSES.