SENATE BILL NO. 2536

AN ACT TO CREATE NEW SECTION 11-1-67, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AND RESTRICT THE CONTRACTUAL WAIVER OF CONSTITUTIONAL RIGHTS; 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. The contractual waiver of the constitutional right to trial by jury must be knowing, intelligent, and voluntary by all parties. It must be specifically limited to the subject matter of the contract. A general waiver is void. The burden of proof is on the party asserting the waiver of the constitutional right to trial by jury.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.