

By: Representative Brown

To: Universities and
Colleges

HOUSE BILL NO. 1150

1 AN ACT TO PROVIDE THAT IN CONNECTION WITH ANY INTERNATIONAL
2 CONTRACT BETWEEN THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF
3 HIGHER LEARNING OR ONE OF THE STATE'S INSTITUTIONS OF HIGHER
4 LEARNING AND ANY PARTY OUTSIDE OF THE UNITED STATES, THE BOARD OR
5 INSTITUTION THAT IS A PARTY TO THE INTERNATIONAL CONTRACT MAY
6 INCLUDE IN THE CONTRACT A PROVISION FOR THE RESOLUTION BY
7 ARBITRATION OF ANY CONTROVERSY; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Notwithstanding any other provision of Sections
10 11-15-101 through 11-15-143 to the contrary, in connection with
11 any international contract between the Board of Trustees of State
12 Institutions of Higher Learning or one of the state's institutions
13 of higher learning and any party outside of the United States, the
14 board or institution that is a party to the international contract
15 may include in the contract a provision for the resolution by
16 arbitration of any controversy between the parties to the contract
17 relating to the contract or the failure or refusal to perform any
18 part of the contract. The provision shall be valid, enforceable
19 and irrevocable without regard to the justifiable character of the
20 controversy. However, if either party to the contract initiates
21 litigation against the other with respect to the contract, the
22 arbitration provision shall be deemed waived unless asserted as a
23 defense on or before the responding party is required to answer
24 the litigation.

25 **SECTION 2.** This act shall take effect and be in force from
26 and after its passage.