

## Senate Amendments to House Bill No. 1536

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

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

6           **SECTION 1.** Section 75-17-7, Mississippi Code of 1972, is  
7 amended as follows:

8           75-17-7. (1) All judgments or decrees founded on an  
9 obligation of support, including, but not limited to, child  
10 support, medical support and spousal support, shall bear interest  
11 compounded at a per annum rate of eight percent (8%) unless the  
12 judgment or decree provides otherwise.

13           (2) All judgments or decrees founded on any sale or contract  
14 shall bear interest at the same rate as the contract evidencing  
15 the debt on which the judgment or decree was rendered.

16           (3) All other judgments or decrees shall bear interest at a  
17 per annum rate of eight percent (8%) or an amount set by the judge  
18 hearing the complaint from the date of judgment or entry of  
19 decree.

20           **SECTION 2.** Section 75-17-9, Mississippi Code of 1972, is  
21 amended as follows:

22           75-17-9. (1) When a partial payment is made on a debt  
23 evidenced by a judgment or decree based upon a support obligation,  
24 including, but not limited to, child support, medical support and  
25 spousal support, the compounded interest and principal shall be  
26 aggregated, and the partial payment shall be applied to the total  
27 debt owed.

28           (2) When partial payments are made in other cases, the  
29 interest that has accrued to the time of payment, if any, shall be  
30 first paid, and the residue of such partial payment shall be  
31 placed to the payment of the principal, except that the parties

32 may agree in writing that such partial payment, or any portion  
33 thereof, shall be applied first to the payment of principal, in  
34 which case the residue shall be applied to the payment of interest  
35 that has accrued to the time of payment.

36 **SECTION 3.** This act shall take effect and be in force from  
37 and after July 1, 2004.

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

1 AN ACT TO AMEND SECTIONS 75-17-7 AND 75-17-9, MISSISSIPPI  
2 CODE OF 1972, TO PROVIDE THAT JUDGMENTS OR DECREES IN CHILD OR  
3 SPOUSAL SUPPORT CASES SHALL BEAR COMPOUNDED INTEREST AT THE RATE  
4 OF EIGHT PERCENT; AND FOR RELATED PURPOSES.

SS26\HB1536PS.J

John O. Gilbert  
Secretary of the Senate