

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Cmte Sub for Senate Bill No. 2239

BY: Senator(s) Doxey

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

5 **SECTION 1.** The following shall be codified as Section
6 15-1-40, Mississippi Code of 1972:

7 15-1-40. No action to recover damages for any deficiency,
8 defect, omission, error or miscalculation in a survey or plat
9 shall be brought against a professional land surveyor, or the
10 employee of a professional land surveyor, who performed or
11 furnished the survey or plat unless it is filed within three (3)
12 years from the date of discovery of any deficiency, defect,
13 omission, error or miscalculation, but in no event to exceed
14 eleven (11) years from the date of the survey or plat. The cause
15 of action in such cases shall accrue when services are rendered as
16 shown from the date on the survey or plat or the date of a
17 supplement or amendment to the survey or plat. Any action not
18 instituted within the period provided by this section shall be
19 forever barred.

20 For the purposes of this section, "professional land
21 surveyor" shall have the meaning ascribed in Section 73-13-71.

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