

Senate Amendments to House Bill No. 291

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:

5 **SECTION 1.** Section 15-1-3, Mississippi Code of 1972, is
6 amended as follows:

7 15-1-3. (1) The completion of the period of limitation
8 prescribed to bar any action, shall defeat and extinguish the
9 right as well as the remedy. However, the former legal obligation
10 shall be a sufficient consideration to uphold a new promise based
11 thereon.

12 (2) In any case founded on a debt, when any part of the debt
13 shall have been paid, or an acknowledgment of an existing
14 liability, debt or claim, or any promise to pay the same shall
15 have been made, the statute of limitations not having run, an
16 action may be brought in such case within the period prescribed
17 for the same, with the said period to begin after such payment,
18 acknowledgment or promise.

19 **SECTION 2.** This act shall take effect and be in force from
20 and after July 1, 2005.

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

1 AN ACT TO AMEND SECTION 15-1-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE STATUTE OF LIMITATIONS ON DEBTS WHEN PARTIAL PAYMENT
3 HAS BEEN MADE; AND FOR RELATED PURPOSES.

SS01\HB291A.J

John O. Gilbert
Secretary of the Senate