

By: Senator(s) Albritton

To: Judiciary, Division B

SENATE BILL NO. 2968

1 AN ACT TO AMEND SECTION 89-7-31, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE A JUDGE TO IMMEDIATELY RECEIVE NOTICE WHEN A SUMMONS IS
3 ISSUED FOR NONPAYMENT OF RENT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 89-7-31, Mississippi Code of 1972, is
6 amended as follows:

7 89-7-31. On receiving such affidavit, the county judge,
8 justice, mayor or other officer shall issue a summons, directed to
9 the sheriff or any constable of the county, or the marshal of the
10 city, town or village wherein the premises, or some part thereof,
11 are situated, describing the premises, and commanding him to
12 require the person in possession of the same or claiming the
13 possession thereof, forthwith to remove therefrom, or to show
14 cause before the justice or other officer, on a day to be named
15 not less than three (3) nor more than five (5) days from the date
16 of the summons, why possession of the premises should not be
17 delivered to the applicant. The clerk of the court shall
18 immediately, upon receiving the affidavit and issuance of the
19 summons, assign the case to a judge and notify that judge of the
20 date on the summons.

21 **SECTION 2.** This act shall take effect and be in force from
22 and after July 1, 2006.