

By: Senator(s) Nunnelee

To: Judiciary, Division A

SENATE BILL NO. 2687

1 AN ACT TO AMEND SECTION 93-11-117, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE CIVIL CONTEMPT FINES UPON EMPLOYERS WHO REFUSE TO
3 COMPLY WITH INCOME WITHHOLDING ORDERS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 93-11-117, Mississippi Code of 1972, is
6 amended as follows:

7 93-11-117. (1) In cases in which a payor willfully fails to
8 withhold or pay over income pursuant to a valid order for
9 withholding, the following penalties shall apply:

10 (a) The payor shall be liable for a civil penalty of
11 not more than:

12 (i) Five Hundred Dollars (\$500.00); or

13 (ii) One Thousand Dollars (\$1,000.00) in an
14 instance where the failure to comply is the result of collusion
15 between the payor and the obligor; and

16 (b) The court, upon due notice and hearing, shall enter
17 judgment and direct the issuance of an execution for the total
18 amount that the payor willfully failed to withhold or pay over.

19 (2) In cases in which a payor discharges, disciplines,
20 refuses to hire or otherwise penalizes an obligor as prohibited by
21 subsection (9) of Section 93-11-111, the court, upon due notice
22 and hearing, shall fine the payor in an amount not to exceed Fifty
23 Dollars (\$50.00).

24 (3) Any obligee, the department or obligor who willfully
25 initiates a false proceeding under Sections 93-11-101 through
26 93-11-119 or who willfully fails to comply with the requirements

27 of Sections 93-11-101 through 93-11-119 shall be punished as in
28 cases of contempt of court.

29 **SECTION 2.** This act shall take effect and be in force from
30 and after July 1, 2007.