

By: Representative Bell (21st)

To: Judiciary A

HOUSE BILL NO. 1306

1 AN ACT TO CREATE NEW SECTION 11-11-21, MISSISSIPPI CODE OF
2 1972, TO PROVIDE THAT CONSTRUCTION DISPUTE RESOLUTION AGREEMENTS
3 THAT REQUIRE RESOLUTION OUTSIDE THE STATE SHALL BE VOID; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** The following shall be codified as Section
7 11-11-21, Mississippi Code of 1972:

8 11-11-21. (1) Any written or oral contract, provision or
9 agreement between or among individuals, persons or entities that:

10 (a) Relates to the design, construction, alteration,
11 repair, demolition or maintenance of any building, structure,
12 highway, appurtenance, appliance, or other improvement to real
13 property that is located within the boundaries of the State of
14 Mississippi,

15 (b) Requires any dispute resolution regarding any items
16 listed in paragraph (a) of this section to be held outside of the
17 territorial boundaries of the State of Mississippi and shall be
18 invalid, null, void, unenforceable and repugnant to the public
19 policy of the State of Mississippi.



20 (2) The provisions of subsection (1) shall be mandatory, and
21 shall not be waived or altered by oral or written agreement.

22 (3) The provisions of this section shall become effective
23 for all contracts, as described in this section, entered on or
24 after the effective date of this act.

25 **SECTION 2.** This act shall take effect and be in force from
26 and after July 1, 2018.

