

By: Senator(s) Wiggins, Branning

To: Judiciary, Division A

SENATE BILL NO. 2460

1 AN ACT TO AMEND SECTION 1, CHAPTER 455, LAWS OF 2021 TO  
 2 RECONSTITUTE THE "MISSISSIPPI DOMESTIC LAW TASK FORCE" TO FURTHER  
 3 STUDY DOMESTIC LAW IN MISSISSIPPI; TO REVISE THE AREAS OF DOMESTIC  
 4 LAW THAT THE TASK FORCE IS REQUIRED TO STUDY; TO REQUIRE THE TASK  
 5 FORCE TO DEVELOP A RECOMMENDATION TO THE LEGISLATURE AND THE  
 6 MISSISSIPPI SUPREME COURT RELATIVE TO REVISING MISSISSIPPI'S  
 7 DOMESTIC RELATIONS LAWS TO REFLECT CURRENT JURISPRUDENCE AND TO  
 8 PROPOSE LEGISLATION AND RULE CHANGES BASED UPON ITS  
 9 RECOMMENDATION; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND  
 10 PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK  
 11 FORCE; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** Section 1, Chapter 455, Laws of 2021, is amended  
 14 as follows:

15 Section 1. (1) There is hereby reconstituted and  
 16 established the "Mississippi Domestic Law Task Force \* \* \*" to  
 17 further study domestic law in Mississippi and develop a  
 18 recommendation to the Legislature and the Mississippi Supreme  
 19 Court relative to revising Mississippi's domestic relations laws  
 20 to reflect current jurisprudence \* \* \* and to propose legislation  
 21 and rule changes based upon its recommendation.

22 (2) The members of the Task Force shall be as follows:



23 (a) The Chairmen of the Judiciary A Committees of the  
24 Mississippi Senate and the Mississippi House of Representatives;

25 (b) One (1) designee of the Mississippi Supreme Court  
26 to be named by the Chief Justice of the Supreme Court;

27 (c) One (1) designee of the Mississippi Court of  
28 Appeals to be named by the Chief Judge of the Court of Appeals;

29 (d) Two (2) sitting Chancellors to be named by the  
30 Chief Justice of the Supreme Court;

31 (e) Two (2) practicing attorneys in the State of  
32 Mississippi with expertise in the area of domestic relations, one  
33 (1) from each of the federal judicial districts to be named by the  
34 Mississippi Bar Association;

35 (f) One (1) practicing attorney who is a general  
36 practitioner with expertise in the area of domestic relations and  
37 who practices in a firm with five (5) or fewer licensed attorneys  
38 to be named by the Mississippi Bar Association;

39 (g) Two (2) practicing guardians ad litem to be named  
40 by the Mississippi Bar Association;

41 (h) One (1) practicing or retired attorney with  
42 expertise in disability law and domestic law to be named by the  
43 Mississippi Bar Association;

44 (i) One (1) designee of the Child Support Unit of the  
45 Mississippi Department of Human Services to be named by the  
46 executive director of the department;



47 (j) One (1) professor of law with expertise in domestic  
48 law to be named by the Dean of the University of Mississippi  
49 School of Law; and

50 (k) One (1) professor of law with expertise in domestic  
51 law to be named by the Dean of the Mississippi College School of  
52 Law.

53 (3) The membership appointments made pursuant to Senate Bill  
54 No. 2621, 2021 Regular Session, shall be effective for the  
55 reconstituted Task Force. Any vacancies on the Task Force shall  
56 be filled as in accordance with subsection (2) of this section.

57 ( \* \* \*4) The Task Force shall meet within forty-five (45)  
58 days of the effective date of this act, upon the call of the  
59 Governor, and shall evaluate the current domestic laws and cases  
60 in Mississippi. Specifically the Task Force shall:

61 (a) Review the models used by states to determine the  
62 base child support amount due, including the "Income Shares  
63 Model," the "Percentage of Income Model" and the "Melson Formula,"  
64 which incorporate a self-support reserve for the obligor and take  
65 into consideration the health care expenses of the children;

66 (b) Review special provisions for child care expenses,  
67 formulas for shared custody, split custody and extraordinary  
68 visitation, and deductions for the support of previous and  
69 subsequent children;



70 (c) Review \* \* \* the feasibility of dividing a PERS  
71 account in a qualified domestic relations order within a judgment  
72 of divorce and make recommendation(s) based on said review;

73 (d) Review the current trends in the imposition and  
74 cost of fees for guardian ad litem and related issues on guardians  
75 and make recommendation(s) based on said review;

76 (e) Review \* \* \* the current implementation of  
77 Mississippi Rule of Civil Procedure 81 and suggested reform of  
78 Rule-81 practice and make recommendation(s) based on said  
79 review; \* \* \*

80 (f) Review whether the tort of alienation of affection  
81 should be repealed and make recommendation(s) based on said  
82 review;

83 (g) Review whether Section 97-29-1 of the Mississippi  
84 Code of 1972, which is the provision that criminalizes adultery or  
85 fornication, should be repealed and make recommendation(s) based  
86 on said review; and

87 ( \* \* \*h) Review any other matters related to the above  
88 issues or related to domestic law.

89 ( \* \* \*5) (a) The Task Force may request the assistance of  
90 the University of Mississippi School of Law and the Mississippi  
91 College School of Law, the Mississippi Judicial College, the  
92 Mississippi Administrative Office of Courts and the proper section  
93 of the Mississippi Bar Association, or any other related  
94 organization with expertise in domestic relations.



95           (b) For the review and recommendations pursuant to  
96 subsection (3) (a) and (b) of this section, the Task Force may  
97 request the assistance of the Legislative Budget Office, the State  
98 Economist, and any other necessary stakeholders to produce a study  
99 on the economic impact of transitioning Mississippi to an income  
100 shares model of child support. The costs of the study in this  
101 paragraph (b) shall be paid out of funds appropriated therefor.

102           (c) Travel expenses for the members of the Task Force  
103 shall be paid from funds appropriated therefor.

104           ( \* \* \* 6) The members of the Task Force shall elect a Chair  
105 from among the members. The Task Force shall develop and report  
106 its findings and recommendations for proposed legislation to the  
107 Legislature and proposed rule changes to the Mississippi Supreme  
108 Court on or before December 1, \* \* \* 2024. A quorum of the  
109 membership shall be required to approve any final report and  
110 recommendation. Members of the Task Force shall be reimbursed for  
111 necessary travel expense in the same manner as public employees  
112 are reimbursed for official duties from any available funds and  
113 members of the Legislature shall be reimbursed in the same manner  
114 as for attending out-of-session committee meetings.

115           ( \* \* \* 7) The Mississippi Bar Association and the  
116 Mississippi Judicial College shall provide necessary clerical  
117 support for the meetings of the Task Force and the preparation of  
118 the report. \* \* \*



119 ( \* \* \*8) Upon presentation of its report the Task Force  
120 shall be dissolved.

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

