

By: Representatives Tullos, Clark

To: Judiciary A

HOUSE BILL NO. 982

1 AN ACT TO CREATE THE TORT NONECONOMIC DAMAGES ASSESSMENT TASK
2 FORCE; TO PROVIDE THE DUTIES OF THE TASK FORCE; TO PROVIDE THE
3 MEMBERSHIP OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO MEET BY
4 A DATE CERTAIN; TO REQUIRE THE TASK FORCE TO RECOMMEND REVISIONS
5 TO THE NONECONOMIC DAMAGE AMOUNT BY A CERTAIN DATE; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** (1) There is created the Tort Noneconomic
9 Damages Assessment Task Force, which will be responsible for
10 revising the noneconomic damage amount set by statute in order to
11 ensure that the amount is reflective of projected inflation rates,
12 and providing such recommendations to the Legislature.

13 (2) The task force shall consist of the following seven (7)
14 members:

15 (a) The Chairpersons of the Judiciary A Committees for
16 the Mississippi House of Representatives and the Mississippi
17 Senate, or their designees;

18 (b) The Chairpersons of the Judiciary B Committees for
19 the Mississippi House of Representatives and the Mississippi
20 Senate, or their designees;



21 (c) A member of the Mississippi Association of Justice,
22 chosen by the President of the Mississippi Bar Association;

23 (d) A member of the Defense Bar, chosen by the
24 President of the Mississippi Bar Association; and

25 (e) The Attorney General, or his or her designee.

26 (3) At its first meeting, the task force shall elect a
27 chairman and other necessary officers from amongst its membership.
28 The task force shall adopt bylaws and rules for its efficient
29 operation.

30 (4) (a) The task force shall meet and conduct business at
31 least monthly, with their first meeting to be held no later than
32 June 1, 2023. All meetings of the task force and any committees
33 of the task force will be open to the public, with opportunities
34 for public comment provided on a regular basis. Notice of all
35 meetings shall be given as provided in the Open Meetings Act
36 (Section 25-41-1 et seq.) and appropriate notice also shall be
37 given to all persons so requesting of the date, time and place of
38 each meeting. A majority of the appointed members shall
39 constitute a quorum.

40 (b) The task force shall submit a final report with its
41 recommendations by December 1, 2023. Upon submission of the
42 report, the task force shall be dissolved.

43 (5) The task force is assigned to the Administrative Office
44 of Courts for administrative purposes only, and the department
45 shall designate staff to assist the task force. The task force



46 will have a line item in the budget of the Administrative Office
47 of Courts and will be financed by the Legislature through the
48 agency's annual appropriation.

49 (6) Members of the task force who are not legislators, state
50 officials or state employees may be compensated at the per diem
51 rate authorized by Section 25-3-69 and may be reimbursed in
52 accordance with Section 25-3-41 for mileage and actual expenses
53 incurred in the performance of their duties. Legislative members
54 of the task force will be paid from the contingent expense funds
55 of their respective houses in the same manner as provided for
56 committee meetings when the Legislature is not in session.
57 However, legislative members will not be paid per diem or expenses
58 for attending meetings of the task force while the Legislature is
59 in session. No task force member may incur per diem, travel or
60 other expenses unless previously authorized by vote, at a meeting
61 of the task force, which action must be recorded in the official
62 minutes of the meeting. Nonlegislative members may be paid from
63 any funds made available to the task force for that purpose.

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

