

By: Representative Lamar

To: Judiciary A

HOUSE BILL NO. 146

1 AN ACT TO PROVIDE THAT ANY PERSON, OTHER THAN AN ATTORNEY  
 2 PERMITTED TO CHARGE A CONTINGENT FEE REPRESENTING A PARTY, THAT  
 3 HAS A RIGHT TO RECEIVE COMPENSATION THAT IS CONTINGENT ON AND  
 4 SOURCED FROM ANY PROCEEDS OF THAT CIVIL ACTION, BY SETTLEMENT,  
 5 JUDGMENT OR OTHERWISE, IS JOINTLY LIABLE FOR COSTS; TO PROVIDE  
 6 THAT A PARTY SHALL, WITHOUT AWAITING A DISCOVERY REQUEST, PROVIDE  
 7 TO THE OTHER PARTIES ANY AGREEMENT UNDER WHICH ANY PERSON, OTHER  
 8 THAN AN ATTORNEY PERMITTED TO CHARGE A CONTINGENT FEE REPRESENTING  
 9 A PARTY, HAS A RIGHT TO RECEIVE COMPENSATION THAT IS CONTINGENT ON  
 10 AND SOURCED FROM ANY PROCEEDS OF THE CIVIL ACTION, BY SETTLEMENT,  
 11 JUDGMENT OR OTHERWISE; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** (1) Any person, other than an attorney permitted  
 14 to charge a contingent fee representing a party, that has a right  
 15 to receive compensation that is contingent on and sourced from any  
 16 proceeds of that civil action, by settlement, judgment or  
 17 otherwise, is jointly liable for costs assessed pursuant to the  
 18 Mississippi Rules of Civil Procedure, and amendments thereto, or  
 19 any monetary sanction imposed pursuant to the Mississippi Rules of  
 20 Civil Procedure, and amendments thereto, on the party with whom  
 21 such person has such an agreement. The provisions of this section  
 22 shall be supplemental to the Mississippi Rules of Civil procedure.



23           (2) Except as otherwise stipulated or ordered by the court,  
24 a party shall, without awaiting a discovery request, provide to  
25 the other parties any agreement under which any person, other than  
26 an attorney permitted to charge a contingent fee representing a  
27 party, has a right to receive compensation that is contingent on  
28 and sourced from any proceeds of the civil action, by settlement,  
29 judgment or otherwise.

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

