

By: Reeves

To: Public Health and  
Welfare

HOUSE BILL NO. 1504

1 AN ACT TO AMEND SECTION 73-54-39, MISSISSIPPI CODE OF 1972,  
2 TO REVISE COMPETENCY PROVISIONS FOR THERAPIST TESTIMONY IN  
3 ALIMONY, CUSTODY OR DIVORCE ACTION; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 73-54-39, Mississippi Code of 1972, is  
6 amended as follows:[HS1]

7 73-54-39. If both parties to a marriage have obtained  
8 marriage and family therapy by a licensed marriage and family  
9 therapist, the therapist shall not be competent to testify in an  
10 alimony, custody or divorce action concerning information acquired  
11 in the course of the therapeutic relationship. The therapist  
12 shall be incompetent to testify if the therapist has been duly  
13 licensed as of the time of the proposed testimony, even though the  
14 license was obtained subsequent to the time of therapy.

15 SECTION 2. This act shall take effect and be in force from  
16 and after July 1, 2000.