

By: Williamson, Dickerson, Walls, Jordan,  
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To: Judiciary

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2563

1 AN ACT TO CREATE NEW SECTION 11-1-67, MISSISSIPPI CODE OF  
2 1972, TO PROVIDE FOR AND RESTRICT THE CONTRACTUAL WAIVER OF  
3 CONSTITUTIONAL RIGHTS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. The following shall be codified as Section  
6 11-1-67, Mississippi Code of 1972:[CSQ1]

7 11-1-67. The contractual waiver of the constitutional right  
8 to trial by jury must be knowing, intelligent, and voluntary by  
9 all parties. It must be specifically limited to the subject  
10 matter of the contract. A general waiver is void. The burden of  
11 proof is on the party asserting the waiver of the constitutional  
12 right to trial by jury.

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