

By: Representative Formby

To: Judiciary A

HOUSE BILL NO. 1249

1 AN ACT TO AMEND SECTION 11-35-1, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE PLAINTIFF IN A GARNISHMENT PROCEEDING TO PROVIDE THE  
3 SOCIAL SECURITY NUMBER OF THE DEFENDANT/JUDGMENT DEBTOR TO THE  
4 CLERK OF THE COURT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 11-35-1, Mississippi Code of 1972, is  
7 amended as follows:

8 11-35-1. On the suggestion in writing by the plaintiff in a  
9 judgment or decree in any court upon which an execution may be  
10 issued, that any person, either natural or artificial, including  
11 the state, any county, municipality, school district, board or  
12 other political subdivision thereof, is indebted to the defendant  
13 therein, or has effects or property of the defendant in his, her  
14 or its possession, or knows of some other person who is indebted  
15 to the defendant, or who has effects or property of the defendant  
16 in his, her or its possession, it shall be the duty of the clerk  
17 of such court to issue a writ of garnishment, directed to the  
18 sheriff or proper officer, commanding him to summon such person,  
19 the state, county, municipality, school district, board or other  
20 political subdivision thereof, as the case may be, as garnishee to  
21 appear at the term of court to which the writs of garnishment may  
22 be returnable, to answer accordingly.

23 The plaintiff shall provide the clerk of the court with the  
24 social security number of the defendant/judgment debtor at the  
25 time of making suggestion for issuance of the writ of garnishment  
26 and the number shall be included on the writ of garnishment served  
27 upon the garnishee.

28           **SECTION 2.** This act shall take effect and be in force from  
29 and after July 1, 2004.