

By: Senator(s) Nunnelee

To: Judiciary, Division B

SENATE BILL NO. 2890

1 AN ACT TO AMEND SECTIONS 75-17-7 AND 75-17-9, MISSISSIPPI
2 CODE OF 1972, TO CLARIFY THAT JUDGMENTS OR DECREES IN CHILD OR
3 SPOUSAL SUPPORT CASES SHALL BEAR COMPOUNDED INTEREST AT 7%; AND
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 75-17-7, Mississippi Code of 1972, is
7 amended as follows:

8 75-17-7. All administrative or judicial judgments or decrees
9 in a support case, including, but not limited to, child support,
10 medical support and spousal support, shall bear compounded
11 interest at a rate of seven percent (7%). All judgments or
12 decrees founded on any sale or contract shall bear interest at the
13 same rate as the contract evidencing the debt on which the
14 judgment or decree was rendered. All other judgments or decrees
15 shall bear interest at a per annum rate set by the judge hearing
16 the complaint from a date determined by such judge to be fair but
17 in no event prior to the filing of the complaint.

18 **SECTION 2.** Section 75-17-9, Mississippi Code of 1972, is
19 amended as follows:

20 75-17-9. In all administrative or judicial judgments or
21 decrees with a support obligation, including, but not limited to,
22 child support, medical support and spousal support, the interest
23 and principal are compounded. Otherwise, when partial payments
24 are made, the interest that has accrued to the time of payment, if
25 any, shall be first paid, and the residue of such partial payment
26 shall be placed to the payment of the principal, except that the
27 parties may agree in writing that such partial payment, or any
28 portion thereof, shall be applied first to the payment of

29 principal, in which case the residue shall be applied to the
30 payment of interest that has accrued to the time of payment.

31 **SECTION 3.** This act shall take effect and be in force from
32 and after July 1, 2004.