

By: Representative Denny

To: Judiciary A

HOUSE BILL NO. 291  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 15-1-3, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE STATUTE OF LIMITATIONS ON DEBTS WHEN PARTIAL PAYMENT  
3 HAS BEEN MADE; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 15-1-3, Mississippi Code of 1972, is  
6 amended as follows:

7 15-1-3. (1) The completion of the period of limitation  
8 prescribed to bar any action, shall defeat and extinguish the  
9 right as well as the remedy. However, the former legal obligation  
10 shall be a sufficient consideration to uphold a new promise based  
11 thereon.

12 (2) In any case founded on a debt, when any part of the debt  
13 shall have been paid, or an acknowledgment of an existing  
14 liability, debt or claim, or any promise to pay the same shall  
15 have been made, the statute of limitations not having run, an  
16 action may be brought in such case within the period prescribed  
17 for the same, with the said period to begin after such payment,  
18 acknowledgment or promise.

19 **SECTION 2.** This act shall take effect and be in force from  
20 and after July 1, 2005.