

By: Representative Denny

To: Judiciary A

HOUSE BILL NO. 1085

1 AN ACT TO AMEND SECTION 15-1-43, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE LIMITATION ON ACTIONS FOUNDED ON DOMESTIC JUDGMENTS OR
3 DECREES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 15-1-43, Mississippi Code of 1972, is
6 amended as follows:

7 15-1-43. Limitations applicable to actions founded on
8 domestic judgments or decrees.

9 All actions founded on any judgment or decree rendered by any
10 court of record in this state, shall be brought within seven (7)
11 years next after the rendition of such judgment or decree, or last
12 renewal of judgment or decree, whichever is later.

13 A judgment or decree may be renewed by the filing with the
14 clerk of the court that rendered such judgment or decree a notice
15 of renewal of judgment or decree substantially in the following
16 form:

17 **NOTICE OF RENEWAL OF JUDGMENT OR DECREE**

18 (a) Notice is given of renewal of judgment or decree
19 that was rendered and filed in this action as follows:

- 20 (i) Date that judgment or decree was filed was;
- 21 (ii) Case number of such judgment or decree was;
- 22 (iii) Judgment or decree was taken against;
- 23 (iv) Judgment or decree was taken in favor of;
- 24 (v) Current holder of such judgment or decree is;
- 25 (vi) Current amount owing of such judgment or
26 decree is.

27 (b) If applicable, that a Notice of Renewal of Judgment
28 or Decree has been previously filed with the clerk of the court
29 that rendered such judgment or decree on or about:

30 The renewal of such judgment or decree is effective as of the
31 date of the filing of the Notice of Renewal with the clerk of the
32 court that rendered such judgment or decree. The clerk shall
33 treat the renewal of judgment or decree in the same manner as the
34 previously rendered judgment or decree. If the judgment or decree
35 has been enrolled, the circuit clerk shall enroll the Notice of
36 Renewal showing the date of the filing of the Notice of Renewal,
37 and the lien of the renewal of such judgment or decree continues
38 from the date of the enrollment of the original judgment or
39 decree. The right to renew a judgment or decree in any other
40 manner allowed by law instead of using the above Notice of Renewal
41 remains unimpaired.

42 **SECTION 2.** This act shall take effect and be in force from
43 and after July 1, 2007.