

By: Senator(s) Burton

To: Judiciary, Division A

SENATE BILL NO. 2363
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 85-7-141, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY JURISDICTION OVER CONSTRUCTION LIENS; AND FOR RELATED
3 PURPOSES.

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

5 **SECTION 1.** Section 85-7-141, Mississippi Code of 1972, is
6 amended as follows:

7 85-7-141. Any person entitled to and desiring to have the
8 benefit of such lien shall commence his suit in the circuit or
9 county court of the county in which the property or some part
10 thereof is situated, if the principal of his demand exceeds Two
11 Hundred Dollars (\$200.00), within twelve (12) months next after
12 the time when the money due and claimed by the suit became due and
13 payable following the day on which the last of the labor was
14 performed or material or rental or lease equipment was supplied by
15 the person bringing the action, and not after; and the suit shall
16 be commenced by petition, describing with reasonable certainty the
17 property upon which the lien is averred to exist, and setting out
18 the nature of the contract and indebtedness, and the amount
19 thereof; and the plaintiff shall file therewith in all cases,
20 except where the whole work or materials, or both, were furnished
21 in pursuance of a written contract for an aggregate price, a bill
22 of particulars exhibiting the amount and kind of labor performed,
23 and of materials furnished, and the prices at which and times when
24 the same were performed and furnished; and such suits shall be
25 docketed and conducted as other suits in said court, and may be
26 tried at the first term.



27 **SECTION 2.** This act shall take effect and be in force from
28 and after July 1, 2011.

