

MISSISSIPPI LEGISLATURE

2023 Regular Session

To: Judiciary A

By: Representative Lamar

## House Bill 1193

AN ACT TO PROVIDE THAT ANY PERSON, OTHER THAN AN ATTORNEY PERMITTED TO CHARGE A CONTINGENT FEE REPRESENTING A PARTY, THAT HAS A RIGHT TO RECEIVE COMPENSATION THAT IS CONTINGENT ON AND SOURCED FROM ANY PROCEEDS OF THAT CIVIL ACTION, BY SETTLEMENT, JUDGMENT OR OTHERWISE, IS JOINTLY LIABLE FOR COSTS; TO PROVIDE THAT A PARTY SHALL, WITHOUT AWAITING A DISCOVERY REQUEST, PROVIDE TO THE OTHER PARTIES ANY AGREEMENT UNDER WHICH ANY PERSON, OTHER THAN AN ATTORNEY PERMITTED TO CHARGE A CONTINGENT FEE REPRESENTING A PARTY, HAS A RIGHT TO RECEIVE COMPENSATION THAT IS CONTINGENT ON AND SOURCED FROM ANY PROCEEDS OF THE CIVIL ACTION, BY SETTLEMENT, JUDGMENT OR OTHERWISE; AND FOR RELATED PURPOSES.

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

**SECTION 1.** (1) Any person, other than an attorney permitted to charge a contingent fee representing a party, that has a right to receive compensation that is contingent on and sourced from any proceeds of that civil action, by settlement, judgment or otherwise, is jointly liable for costs assessed pursuant to the Mississippi Rules of Civil Procedure, and amendments thereto, or any monetary sanction imposed pursuant to the Mississippi Rules of Civil Procedure, and amendments thereto, on the party with whom such person has such an agreement. The provisions of this section shall be supplemental to the Mississippi Rules of Civil procedure. (2) Except as otherwise stipulated or ordered by the court, a party shall, without awaiting a discovery request, provide to the other parties any agreement under which any person, other than an attorney permitted to charge a contingent fee representing a party, has a right to receive compensation that is contingent on and sourced from any proceeds of the civil action, by settlement, judgment or otherwise.

**SECTION 2.** This act shall take effect and be in force from and after its passage.