HOUSE BILL NO. 1256

AN ACT TO PROVIDE THAT A PERSON WHO IS 65 YEARS OF AGE OR OLDER OR WHO IS DISABLED SHALL NOT BE LIABLE FOR CANCELING OR RESCINDING A CONTRACT FOR THE LEASE OR RENTAL OF RESIDENTIAL REAL PROPERTY BEFORE EXPIRATION OF ITS TERM IF HE OR SHE HAS BEEN DETERMINED BY A HEALTH CARE PROVIDER TO BE IN NEED OF OR WOULD BENEFIT FROM THE CARE OR SERVICES PROVIDED BY A NURSING HOME, PERSONAL CARE HOME OR ASSISTED LIVING FACILITY AND HAS GIVEN AT LEAST 30 DAYS WRITTEN NOTICE TO THE PERSON WITH WHOM HE OR SHE HAS CONTRACTED; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) Any person who is sixty-five (65) years of age or older, or who is disabled as determined by any state or federal agency, and who has entered into any contract for the lease or rental of real property used or to be used by such person for residential purposes shall not be liable for canceling or rescinding the contract before expiration of its term if:

(a) He or she has been determined by a health care provider to be in need of or would benefit from the care or services provided by a nursing home, personal care home or assisted living facility; and

(b) He or she has given written notice to the person with whom he or she contracted, or an agent or representative of such person, at least thirty (30) days before cancellation or rescission of the contract.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.