

By: Representative Grist

To: Judiciary A

HOUSE BILL NO. 1359

1 AN ACT TO AMEND SECTION 89-8-23, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE INDOOR PLUMBING IN RENTAL UNITS; AND FOR RELATED PURPOSES.

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

4 **SECTION 1.** Section 89-8-23, Mississippi Code of 1972, is
5 amended as follows:

6 89-8-23. (1) A landlord shall at all times during the
7 tenancy:

8 (a) Comply with the requirements of applicable building
9 and housing codes materially affecting health and safety;

10 (b) Maintain the dwelling unit, its plumbing which
11 shall be indoor, heating and/or cooling system, in substantially
12 the same condition as at the inception of the lease, reasonable
13 wear and tear excluded, unless the dwelling unit, its plumbing,
14 heating and/or cooling system is damaged or impaired as a result
15 of the deliberate or negligent actions of the tenant.

16 (2) No duty on the part of the landlord shall arise under
17 this section in connection with a defect which is caused by the
18 deliberate or negligent act of the tenant or persons on the
19 premises with the tenant's permission.

20 (3) Subject to the provisions of Section 89-8-5, the
21 landlord and tenant may agree in writing that the tenant perform
22 some or all of the landlord's duties under this section, but only
23 if the transaction is entered into in good faith.

24 (4) No duty on the part of the landlord shall arise under
25 this section in connection with a defect which is caused by the
26 tenant's affirmative act or failure to comply with his obligations
27 under Section 89-8-25.



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

