

By: Representative Snowden

To: Judiciary B

HOUSE BILL NO. 947

1 AN ACT TO AUTHORIZE RECORDATION OF HEIRSHIP AND OTHER
2 AFFIDAVITS PERTAINING TO REAL ESTATE TITLES AND TO PROVIDE FOR THE
3 ADMISSIBILITY OF SUCH AFFIDAVITS WHEN RECORDED; AND FOR RELATED
4 PURPOSES.

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

6 **SECTION 1.** (1) Any affidavit relating to the
7 identification, the marital status, the heirship, the relation,
8 the death, or the time of death, of any person who is a party to
9 any instrument affecting the title to real estate, or any
10 affidavit relating to the identification of any corporation or
11 other legal entity which is a party to any instrument affecting
12 the title to real estate, duly sworn to and acknowledged before
13 any officer or person authorized to administer an oath under the
14 laws of this state, shall be recordable in the land records in the
15 office of the chancery clerk in the county where the real estate
16 is situated.

17 (2) Any affidavit so recorded, or a certified copy thereof,
18 shall be admissible as evidence in any action involving the
19 instrument to which it relates or the title to the real estate
20 affected by the instrument and shall be prima facie evidence of
21 the facts stated therein and the marketability of the title to
22 real estate.

23 (3) Any action challenging the marketability of title or any
24 action which relates to title to the real estate shall be
25 commenced within three (3) years next after the recording of the
26 affidavit and not after.

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