MISSISSIPPI LEGISLATURE
REGULAR SESSION 2016
By: Representatives Hood, Brown, Boyd
To: Judiciary B

HOUSE BILL NO. 767

AN ACT TO CODIFY THE DUTY OF CARE OF A POSSESSOR OF REAL PROPERTY TO A LICENSEE OR TRESPASSER; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 95-5-31, Mississippi Code of 1972:

95-5-31. Duty of possessor of real property to licensee or trespasser. (1) A possessor of any fee, reversionary or easement interest in real property, including an owner, lessee, or other lawful occupant, owes no duty of care to a licensee or to a trespasser except in those circumstances where a common law or statutory right of action existed as of the effective date of this act.

(2) This section does not affect any immunities from or defenses to civil liability established by another statute or available at common law to which a possessor of real property may be entitled.

SECTION 2. This act shall take effect and be in force from and after July 1, 2016.