

By: Representatives Carpenter, Newman,
Crawford, Stamps

To: Military Affairs

HOUSE BILL NO. 186

1 AN ACT TO AMEND SECTION 75-24-15, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY CLAIM OR ACTION UNDER THE PROVISIONS OF THE
3 CONSUMER PROTECTION LAWS FILED ON BEHALF OF A VETERAN FOR A FEE
4 MUST INCLUDE CERTAIN ACKNOWLEDGMENTS THAT THE MISSISSIPPI STATE
5 VETERANS AFFAIRS BOARD OFFERS THE SAME SERVICE FREE OF CHARGE; AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 75-24-15, Mississippi Code of 1972, is
9 amended as follows:

10 75-24-15. (1) In addition to all other statutory and common
11 law rights, remedies and defenses, any person who purchases or
12 leases goods or services primarily for personal, family or
13 household purposes and thereby suffers any ascertainable loss of
14 money or property, real or personal, as a result of the use or
15 employment by the seller, lessor, manufacturer or producer of a
16 method, act or practice prohibited by Section 75-24-5 may bring an
17 action at law in the court having jurisdiction in the county in
18 which the seller, lessor, manufacturer or producer resides, or has
19 his principal place of business or, where the act or practice
20 prohibited by Section 75-24-5 allegedly occurred, to recover such



21 loss of money or damages for the loss of such property, or may
22 assert, by way of setoff or counterclaim, the fact of such loss in
23 a proceeding against him for the recovery of the purchase price or
24 rental, or any portion thereof, of the goods or services.

25 (2) In any private action brought under this chapter, the
26 plaintiff must have first made a reasonable attempt to resolve any
27 claim through an informal dispute settlement program approved by
28 the Attorney General.

29 (3) In any action or counterclaim under this section of this
30 chapter, a prevailing defendant may recover in addition to any
31 other relief that may be provided in this section costs and a
32 reasonable attorney's fee, if in the opinion of the court, said
33 action or counterclaim was frivolous or filed for the purpose of
34 harassment or delay.

35 (4) Nothing in this chapter shall be construed to permit any
36 class action or suit, but every private action must be maintained
37 in the name of and for the sole use and benefit of the individual
38 person.

39 (5) Any claim under this section filed on behalf of a
40 veteran that charges the veteran a fee for the service shall
41 include a form signed by the veteran acknowledging that the State
42 of Mississippi through the Mississippi State Veterans Affairs
43 Board offers the same or similar service free of charge. The
44 veteran must sign this form stating that he/she has read and
45 understands it.



46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2021.

