

By: Representatives Sanford, Tullos

To: Judiciary A

HOUSE BILL NO. 485

1 AN ACT TO PROVIDE THAT A RIGHT OF FIRST REFUSAL IN REAL
2 PROPERTY IS EXTINGUISHED UPON THE DEATH OF THE GRANTEE UNLESS THE
3 INSTRUMENT GRANTING THE RIGHT CLEARLY STATES THAT UPON THE
4 GRANTEE'S DEATH, IT SHALL INURE TO THE BENEFIT OF THE GRANTEE'S
5 HEIRS AND ASSIGNS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** A right of first refusal in real property granted
8 through a contractual agreement or any other written instrument of
9 conveyance is extinguished upon the death of the grantee
10 right-holder unless the contractual agreement or instrument of
11 conveyance unambiguously states that upon the death of the grantee
12 right-holder, the right of first refusal shall be binding upon and
13 inure to the benefit of the heirs and assigns of the grantee
14 right-holder.

15 **SECTION 2.** Section 1 of this act shall be codified as a new
16 section in Chapter 1, Title 89, Mississippi Code of 1972.

17 **SECTION 3.** This act shall take effect and be in force from
18 and after July 1, 2021.

