

By: Senator(s) Seymour, Jackson (11th)

To: Veterans and Military  
Affairs; Finance

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2293

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) In 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. The statement signed by the veteran shall be of a



46 **BOLD font** at least one hundred twenty percent (120%) larger than  
47 the font of the claim document filed on behalf of the veteran.

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

