

By: Representative Reynolds

To: Judiciary A

HOUSE BILL NO. 379

1 AN ACT TO PROVIDE THAT WHEN A PERSON CONVEYS AN INTEREST IN
 2 PROPERTY TO TWO INDIVIDUALS WHO ARE MARRIED TO EACH OTHER, AND
 3 SUCH PROPERTY IS THE PRIMARY RESIDENCE OF THAT MARRIED COUPLE, THE
 4 DEED CONVEYING SUCH INTEREST SHALL CREATE A REBUTTABLE PRESUMPTION
 5 THAT THE PROPERTY IS THE PRIMARY RESIDENCE OF THE MARRIED
 6 INDIVIDUALS; TO PROVIDE THAT THE PROPERTY INTEREST IS CONSIDERED
 7 TO BE JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP, UNLESS THERE ARE
 8 SPECIFIC PROVISIONS PROVIDED FOR IN THE DEED TO THE CONTRARY; AND
 9 FOR RELATED PURPOSES.

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

11 **SECTION 1.** When a person conveys an interest in property to
 12 two (2) individuals who are married to each other, and such
 13 property is the primary residence of that married couple, the deed
 14 conveying such interest shall create a rebuttable presumption that
 15 the property is the primary residence of the married individuals,
 16 and the property interest is considered to be joint tenancy with a
 17 right of survivorship, unless there are specific provisions
 18 provided for in the deed to the contrary.

19 **SECTION 2.** This act shall take effect and be in force from
 20 and after July 1, 2022.

