

By: Representatives Sanford, Burnett

To: Ways and Means

HOUSE BILL NO. 246

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, 2023.

