

## Senate Amendments to House Bill No. 1157

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

10           75-24-8. (1) The following words and phrases when used in  
11 this section have the meaning respectively ascribed to them,  
12 except for instances where the context clearly describes and  
13 indicates a different meaning:

14           (a) "Additional mandatory charge" means any separately  
15 stated charges that a renter is required to pay that specifically  
16 relate to the operation of a rental vehicle. This term includes,  
17 but is not limited to, a customer facility charge, airport  
18 concession recovery fee, vehicle license recovery fee, and any  
19 government imposed taxes or fees.

20           (b) "Quote" means an estimated cost of rental provided  
21 to a potential customer based on information provided by the  
22 customer, including potential dates of rental, location or class  
23 of vehicle.

24 (c) "Vehicle license recovery fee" means a charge to  
25 recover costs to license, title, register, plate, or inspect a  
26 rental vehicle that are incurred by a person or entity engaged in  
27 the business of renting motor vehicles under rental agreements.

28 (2) If a person or entity engaged in the business of renting  
29 motor vehicles under rental agreements imposes additional  
30 mandatory charges, the person or entity shall:

31 (a) Provide a good-faith estimate of the total charges  
32 for the entire rental, including all additional mandatory charges,  
33 whenever a quote is provided to a potential customer. The  
34 good-faith estimate may exclude mileage charges and charges for  
35 optional items that cannot be determined prior to completing a  
36 rental reservation based on the information provided by the  
37 potential customer; and

38 (b) Disclose in the rental contract provided to the  
39 renter the total charges for the entire rental, including all  
40 additional mandatory charges. Total charges for the entire rental  
41 do not include any charges that cannot be determined at the time  
42 the rental commences.

43 **SECTION 2.** Section 75-24-5, Mississippi Code of 1972, is  
44 amended as follows:

45 75-24-5. (1) Unfair methods of competition affecting  
46 commerce and unfair or deceptive trade practices in or affecting  
47 commerce are prohibited. Action may be brought under Section  
48 75-24-5(1) only under the provisions of Section 75-24-9.

49           (2) Without limiting the scope of subsection (1) of this  
50 section, the following unfair methods of competition and unfair or  
51 deceptive trade practices or acts in the conduct of any trade or  
52 commerce are hereby prohibited:

53           (a) Passing off goods or services as those of another;

54           (b) Misrepresentation of the source, sponsorship,  
55 approval, or certification of goods or services;

56           (c) Misrepresentation of affiliation, connection, or  
57 association with, or certification by another;

58           (d) Misrepresentation of designations of geographic  
59 origin in connection with goods or services;

60           (e) Representing that goods or services have  
61 sponsorship, approval, characteristics, ingredients, uses,  
62 benefits, or quantities that they do not have or that a person has  
63 a sponsorship, approval, status, affiliation, or connection that  
64 he does not have;

65           (f) Representing that goods are original or new if they  
66 are reconditioned, reclaimed, used, or secondhand;

67           (g) Representing that goods or services are of a  
68 particular standard, quality, or grade, or that goods are of a  
69 particular style or model, if they are of another;

70           (h) Disparaging the goods, services, or business of  
71 another by false or misleading representation of fact;

72           (i) Advertising goods or services with intent not to  
73 sell them as advertised;

74           (j) Advertising goods or services with intent not to  
75 supply reasonably expectable public demand, unless the  
76 advertisement discloses a limitation of quantity;

77           (k) Misrepresentations of fact concerning the reasons  
78 for, existence of, or amounts of price reductions;

79           (l) Advertising by or on behalf of any licensed or  
80 regulated health care professional which does not specifically  
81 describe the license or qualifications of the licensed or  
82 regulated health care professional;

83           (m) Charging an increased premium for reinstating a  
84 motor vehicle insurance policy that was cancelled or suspended by  
85 the insured solely for the reason that he was transferred out of  
86 this state while serving in the United States Armed Forces or on  
87 active duty in the National Guard or United States Armed Forces  
88 Reserve. It is also an unfair practice for an insurer to charge  
89 an increased premium for a new motor vehicle insurance policy if  
90 the applicant for coverage or his covered dependents were  
91 previously insured with a different insurer and canceled that  
92 policy solely for the reason that he was transferred out of this  
93 state while serving in the United States Armed Forces or on active  
94 duty in the National Guard or United States Armed Forces Reserve.  
95 For purposes of determining premiums, an insurer shall consider  
96 such persons as having maintained continuous coverage. The  
97 provisions of this paragraph (m) shall apply only to such  
98 instances when the insured does not drive the vehicle during the  
99 period of cancellation or suspension of his policy \* \* \*; and

100                   (n) Violating the provisions of Section 75-24-8.

101           **SECTION 3.** This act shall take effect and be in force from  
102 and after July 1, 2023.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO CREATE SECTION 75-24-8, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE PERSONS OR ENTITIES ENGAGED IN THE RENTAL OF MOTOR  
3 VEHICLES TO DISCLOSE THE TOTAL CHARGES FOR THE ENTITY RENTAL,  
4 INCLUDING ALL ADDITIONAL MANDATORY CHARGES; TO AMEND SECTION  
5 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED  
6 PURPOSES.

SS26\HB1157A.J

Eugene S. Clarke  
Secretary of the Senate