

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 246

BY: Committee

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

8 **SECTION 1.** A right of first refusal in real property granted
9 through a contractual agreement or any other written instrument of
10 conveyance is extinguished upon the death of the grantee
11 right-holder unless the contractual agreement or instrument of
12 conveyance, or a memorandum of the contractual agreement or
13 instrument of conveyance, or the probated last will and testament
14 of the grantee is filed for recording in the land records of the
15 county in which the real property lies and unambiguously states
16 that upon the death of the grantee right-holder, the right of



17 first refusal shall be binding upon and inure to the benefit of
18 the heirs and assigns of the grantee right-holder.

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

21 **SECTION 3.** This act shall take effect and be in force from
22 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 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 OR A MEMORANDUM OF THE CONTRACTUAL
4 AGREEMENT OR INSTRUMENT CLEARLY STATES THAT UPON THE GRANTEE'S
5 DEATH, IT SHALL INURE TO THE BENEFIT OF THE GRANTEE'S HEIRS AND
6 ASSIGNS; AND FOR RELATED PURPOSES.

