

By: Representative Hall

To: Judiciary A

HOUSE BILL NO. 1273

1 AN ACT TO AMEND SECTION 75-24-153, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE DEFINITION OF THE TERM "RENTAL-PURCHASE AGREEMENT"
3 AND TO DEFINE ADDITIONAL TERMS USED UNDER THE MISSISSIPPI
4 RENTAL-PURCHASE AGREEMENT ACT; TO CREATE NEW SECTION 75-24-193,
5 MISSISSIPPI CODE OF 1972, TO REQUIRE A LESSOR TO FILE A
6 RENTAL-PURCHASE AGREEMENT FOR THE CONVEYANCE OF REAL PROPERTY IN
7 THE COUNTY LAND RECORDS; TO AUTHORIZE A CONSUMER WHO FAILS TO MAKE
8 TIMELY PAYMENTS TO REINSTATE A RENTAL-PURCHASE AGREEMENT FOR THE
9 CONVEYANCE OF REAL PROPERTY BY PAYING ALL AMOUNTS DUE WITHIN
10 FIFTEEN DAYS AFTER THE LAST PAYMENT WAS DUE; AND FOR RELATED
11 PURPOSES.

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

13 **SECTION 1.** Section 75-24-153, Mississippi Code of 1972, is
14 amended as follows:

15 75-24-153. The following words and phrases shall have the
16 meanings ascribed herein unless the context clearly indicates
17 otherwise:

18 (a) "Advertisement" means a commercial message in any
19 medium that aids, promotes or assists, directly or indirectly, a
20 rental-purchase agreement.



21 (b) "Cash price" means the price at which the lessor
22 would have sold the property to the consumer for cash on the date
23 of the rental-purchase agreement.

24 (c) "Consumer" means a natural person who rents
25 personal property under a rental-purchase agreement to be used
26 primarily for personal, family or household purposes.

27 (d) "Consummation" means the time a consumer becomes
28 contractually obligated on a rental-purchase agreement.

29 (e) "Lessor" means a person who regularly provides the
30 use of property through rental-purchase agreements and to whom
31 periodic rental payments are initially payable on the face of the
32 rental-purchase agreement.

33 (f) "Rental-Purchase Agreement" means:

34 (i) An agreement for the use of personal property
35 by a natural person primarily for personal, family or household
36 purposes, for an initial period of four (4) months or less that is
37 automatically renewable with each payment after the initial
38 period, but does not obligate or require the consumer to continue
39 renting or using the property beyond the initial period, and that
40 permits the consumer to become the owner of the property; or

41 (ii) An agreement for a conveyance of real
42 property to be used as the consumer's residence under which the
43 consumer makes regular rental payments and takes ownership of the
44 property once all rental payments have been made in full.



(g) "Property" means personal property other than real property which is primarily used for personal, family or household purposes.

(h) "Real property" means all land, together with all buildings, structures, improvements and fixtures, which is being leased under a rental-purchase agreement.

SECTION 2. The following shall be codified as Section 75-24-193, Mississippi Code of 1972:

75-24-193. (1) Whenever a rental-purchase agreement is for the conveyance of real property, the lessor shall record the agreement in the land records of the county in which the property is located. However, a rental-purchase agreement for the conveyance of real property which is not filed in the land records remains in full force and effect so long as both parties are in compliance with the agreement.

(2) A rental-purchase agreement for the conveyance of real property does not automatically convert to a month-to-month tenancy upon the failure of the consumer to make a timely payment. A consumer who fails to make a timely rental payment may reinstate the agreement without losing any rights or options existing or acquired under the agreement by paying all rental and other charges due to the lessor within fifteen (15) business days from the date of the last scheduled payment.

(3) A consumer may not exercise the right to reinstate a rental-purchase agreement for the conveyance of real property



70 under this section on more than three (3) occasions during the
71 term of the rental-purchase agreement. Upon a fourth or any
72 subsequent failure of the consumer to timely pay rent, the lessor
73 may exercise all rights available under this chapter and the
74 rental-purchase agreement.

75 **SECTION 3.** This act shall take effect and be in force from
76 and after July 1, 2025.

