

By: Representative Horan

To: Business and Commerce

HOUSE BILL NO. 1549

1 AN ACT TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO  
2 PROHIBIT VIOLATIONS OF THE DEFENDING AFFORDABLE PRESCRIPTION DRUG  
3 COSTS ACT UNDER THE CONSUMER PROTECTION LAWS; AND FOR RELATED  
4 PURPOSES.

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

6 **SECTION 1.** Section 75-24-5, Mississippi Code of 1972, is  
7 amended as follows:

8 75-24-5. (1) Unfair methods of competition affecting  
9 commerce and unfair or deceptive trade practices in or affecting  
10 commerce are prohibited. Action may be brought under Section  
11 75-24-5(1) only under the provisions of Section 75-24-9.

12 (2) Without limiting the scope of subsection (1) of this  
13 section, the following unfair methods of competition and unfair or  
14 deceptive trade practices or acts in the conduct of any trade or  
15 commerce are hereby prohibited:

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

17 (b) Misrepresentation of the source, sponsorship,  
18 approval, or certification of goods or services;



19 (c) Misrepresentation of affiliation, connection, or  
20 association with, or certification by another;

21 (d) Misrepresentation of designations of geographic  
22 origin in connection with goods or services;

23 (e) Representing that goods or services have  
24 sponsorship, approval, characteristics, ingredients, uses,  
25 benefits, or quantities that they do not have or that a person has  
26 a sponsorship, approval, status, affiliation, or connection that  
27 he does not have;

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

30 (g) Representing that goods or services are of a  
31 particular standard, quality, or grade, or that goods are of a  
32 particular style or model, if they are of another;

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

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

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

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

42 (l) Advertising by or on behalf of any licensed or  
43 regulated health care professional which does not specifically



44 describe the license or qualifications of the licensed or  
45 regulated health care professional;

46 (m) Charging an increased premium for reinstating a  
47 motor vehicle insurance policy that was cancelled or suspended by  
48 the insured solely for the reason that he was transferred out of  
49 this state while serving in the United States Armed Forces or on  
50 active duty in the National Guard or United States Armed Forces  
51 Reserve. It is also an unfair practice for an insurer to charge  
52 an increased premium for a new motor vehicle insurance policy if  
53 the applicant for coverage or his covered dependents were  
54 previously insured with a different insurer and canceled that  
55 policy solely for the reason that he was transferred out of this  
56 state while serving in the United States Armed Forces or on active  
57 duty in the National Guard or United States Armed Forces Reserve.  
58 For purposes of determining premiums, an insurer shall consider  
59 such persons as having maintained continuous coverage. The  
60 provisions of this paragraph (m) shall apply only to such  
61 instances when the insured does not drive the vehicle during the  
62 period of cancellation or suspension of his policy;

63 (n) Violating the provisions of Section 75-24-8;

64 (o) Violating the provisions of Section 73-3-38;

65 (p) Violating any of the provisions of Title 41,  
66 Chapter 149, Mississippi Code of 1972; \* \* \*

67 (q) Violating any of the provisions of Title 45,  
68 Chapter 38, Mississippi Code of 1972 \* \* \*; and



69                   (r) Violating the provisions of the Defending  
70 Affordable Prescription Drug Costs Act (Sections 41-149-1 through  
71 41-149-11).

72           **SECTION 2.** This act shall take effect and be in force from  
73 and after July 1, 2025.

