

By: Representative Scott (80th)

To: Judiciary A

HOUSE BILL NO. 1256

1 AN ACT TO PROVIDE THAT A PERSON WHO IS 65 YEARS OF AGE OR
 2 OLDER OR WHO IS DISABLED SHALL NOT BE LIABLE FOR CANCELING OR
 3 RESCINDING A CONTRACT FOR THE LEASE OR RENTAL OF RESIDENTIAL REAL
 4 PROPERTY BEFORE EXPIRATION OF ITS TERM IF HE OR SHE HAS BEEN
 5 DETERMINED BY A HEALTH CARE PROVIDER TO BE IN NEED OF OR WOULD
 6 BENEFIT FROM THE CARE OR SERVICES PROVIDED BY A NURSING HOME,
 7 PERSONAL CARE HOME OR ASSISTED LIVING FACILITY AND HAS GIVEN AT
 8 LEAST 30 DAYS WRITTEN NOTICE TO THE PERSON WITH WHOM HE OR SHE HAS
 9 CONTRACTED; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) Any person who is sixty-five (65) years of
 12 age or older, or who is disabled as determined by any state or
 13 federal agency, and who has entered into any contract for the
 14 lease or rental of real property used or to be used by such person
 15 for residential purposes shall not be liable for canceling or
 16 rescinding the contract before expiration of its term if:

17 (a) He or she has been determined by a health care
 18 provider to be in need of or would benefit from the care or
 19 services provided by a nursing home, personal care home or
 20 assisted living facility; and

21 (b) He or she has given written notice to the person
 22 with whom he or she contracted, or an agent or representative of
 23 such person, at least thirty (30) days before cancellation or
 24 rescission of the contract.

25 **SECTION 2.** This act shall take effect and be in force from
 26 and after July 1, 2003.

