

By: Representative Sanford

To: Judiciary A

HOUSE BILL NO. 290

1 AN ACT TO AMEND SECTION 93-19-13, MISSISSIPPI CODE OF 1972,
 2 TO CLARIFY THE AUTHORITY OF ANY PERSON AGE 18 YEARS OR OLDER TO
 3 ENTER INTO A BINDING CONTRACTUAL RELATIONSHIP TO CONVEY AND/OR
 4 ENCUMBER PERSONAL PROPERTY, MORTGAGES AND REAL PROPERTY; TO BRING
 5 FORWARD SECTION 93-19-1, MISSISSIPPI CODE OF 1972, WHICH
 6 AUTHORIZES A CHANCERY COURT IN WHICH A MINOR RESIDES TO REMOVE
 7 DISABILITY OF A MINOR, FOR PURPOSES OF AMENDMENT; AND FOR RELATED
 8 PURPOSES.

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

10 **SECTION 1.** Section 93-19-13, Mississippi Code of 1972, is
 11 amended as follows:

12 93-19-13. (1) All persons eighteen (18) years of age or
 13 older, if not otherwise disqualified, or prohibited by law, shall
 14 have the capacity to enter into binding contractual relationships
 15 affecting personal property, mortgages and real property and to
 16 convey and/or encumber personal property, mortgages and real
 17 property. In addition, all persons eighteen (18) years of age or
 18 older shall have the capacity to enter into binding contractual
 19 relationships for the purpose of investing in mutual funds,
 20 stocks, bonds and any other publicly traded equities. Nothing in



21 this section shall be construed to affect any contracts entered
22 into prior to July 1, 1976.

23 (2) Any person who, upon attaining eighteen (18) years of
24 age, but not having reached the age of majority, if not otherwise
25 disqualified or prohibited by law, shall have the capacity to
26 enter into binding agreements to lease real property to be
27 occupied by the person as the actual place of residence, and to
28 secure the necessary utility services necessary to make such place
29 of residence habitable, including, but not limited to,
30 electricity, natural gas, propane, water, sewage, garbage disposal
31 and Internet services.

32 (3) In any legal action founded on a contract entered into
33 by a person eighteen (18) years of age or older, the said person
34 may sue in his own name as an adult and be sued in his own name as
35 an adult and be served with process as an adult.

36 **SECTION 2.** Section 93-19-1, Mississippi Code of 1972, is
37 brought forward as follows:

38 93-19-1. The chancery court of the county in which a minor
39 resides, or the chancery court of a county in which a resident
40 minor owns real estate in matters pertaining to such real estate,
41 may remove the disability of minority of such minor. In cases of
42 married minors, the residence of the husband shall be the
43 residence of the parties. The chancery court of a county in which
44 a nonresident minor of the State of Mississippi owns real estate
45 or any interest in real estate may remove the disability of



46 minority of such minor as to such real estate, so as to enable
47 said minor to do and perform all acts with reference to such real
48 estate, to sell and convey, to mortgage, to lease, and to make
49 deeds of trust and contracts, including promissory notes,
50 concerning said real estate, or any interest therein which may be
51 owned by such minor, as fully and effectively as if said minor
52 were eighteen (18) years of age. The jurisdiction thus exercised
53 shall be that of a court of general equity jurisdiction, and all
54 presumptions in favor of that adjudged shall be accorded at all
55 times.

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

