MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Reynolds

To: Judiciary A

HOUSE BILL NO. 299

AN ACT TO PROVIDE THAT WHEN A PERSON CONVEYS AN INTEREST IN PROPERTY TO TWO INDIVIDUALS WHO ARE MARRIED TO EACH OTHER, AND SUCH PROPERTY IS THE PRIMARY RESIDENCE OF THAT MARRIED COUPLE, THE DEED CONVEYING SUCH INTEREST SHALL CREATE A REBUTTABLE PRESUMPTION THAT THE PROPERTY IS THE PRIMARY RESIDENCE OF THE MARRIED INDIVIDUALS; TO PROVIDE THAT THE PROPERTY INTEREST IS CONSIDERED TO BE JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP, UNLESS THERE ARE SPECIFIC PROVISIONS PROVIDED FOR IN THE DEED TO THE CONTRARY; AND FOR RELATED PURPOSES.

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

SECTION 1. When a person conveys an interest in property to two (2) individuals who are married to each other, and such property is the primary residence of that married couple, the deed conveying such interest shall create a rebuttable presumption that the property is the primary residence of the married individuals, and the property interest is considered to be joint tenancy with a right of survivorship, unless there are specific provisions provided for in the deed to the contrary.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

ST: Property interest; conveyance to married individuals considered to create joint tenancy with right of survivorship.