

## MISSISSIPPI

---

### **Are mandatory arbitration provisions recognized in your state? If so, are there any limitations to its enforcement?**

It depends. The Mississippi Arbitration Act (Miss. Code Ann. §§ 11-15-1 through 11-15-37) generally governs arbitration in Mississippi. While arbitration is favored by Mississippi courts and arbitration agreements are normally enforced as written, legal constraints external to the arbitration agreement may affect arbitrability. These constraints include waiver, fraud, duress, unconscionability, and/or the legal and/or mental capacity of the individual entering into the agreement.

### **What is your state's law, if any, regarding gift cards, subscription services and loyalty programs?**

None that are applicable to the hospitality and retail industry.

### **What is your state's law, if any, regarding safeguarding consumer credit card or other private data (i.e., cyber security)?**

Mississippi has statutes that prohibit identity theft and computer fraud and has general statutory requirements related to the protection of financial and health information, but there are no statutes governing the safeguarding of consumer credit card or other private data outside of two specific contexts. First, Mississippi's Insurance Data Security Law (Miss. Code Ann. §§ 83-5-801 to 83-5-825) requires licensees to notify the Mississippi Insurance Commissioner of any cybersecurity breaches. Second, Miss. Code Ann. § 75-24-29 requires a business to notify individuals affected by a breach of any personal data in the possession of the business.

### **What is your state's law, if any, regarding the collection and handling of financial information?**

Mississippi does not have a consumer data privacy law in effect. Bills addressing this issue were introduced in 2022 and 2023 but did not pass into law.