

**MISSISSIPPI CODE**  
**TITLE 75 – REGULATION OF TRADE, COMMERCE, AND INVESTMENTS**  
**CHAPTER 87 – CONTRACTS BETWEEN OUT-OF-STATE PRINCIPALS AND**  
**COMMISSIONED SALES REPRESENTATIVES**

**Section 75-87-1**

**Definitions.**

As used in this chapter:

- (a) “Commission” means compensation accruing to a sales representative for payment by a principal, the rate of which is expressed as a percentage of the dollar amount of certain orders or sales.
- (b) “Principal” means any person who does not have a permanent or fixed place of business in this state and who:
  - (i) Engages in the business of manufacturing, producing, importing or distributing a product or products for sale to customers who purchase such product or products for resale;
  - (ii) Utilizes sales representatives to solicit orders for such product or products; and
  - (iii) Compensates the sales representatives, in whole or in part, by commission.
- (c) “Sales representative” means any person who engages in the business of soliciting, on behalf of a principal, orders for the purchase at wholesale of the product or products of the principal. The term “sales representative” shall not include a person who places orders or purchases for such person’s own account for resale or is engaged in home solicitation sales regulated pursuant to Section 75-66-1 et seq., Mississippi Code of 1972.

***(MS Code § 75-87-1 (2025))***

***History: Laws, 1988, ch. 588, § 1, eff from and after July 1, 1988, and it shall be applicable to contracts entered into after July 1, 1988.***

### **Section 75-87-3**

**Sales representative contract to set forth means by which commissions shall be computed and paid.**

Whenever any principal enters into an oral or written contract with a sales representative for services to be rendered within this state and the contemplated method of compensation of the sales representative involves a commission, the contract shall set forth the means by which the commission shall be computed and paid.

*(MS Code § 75-87-3 (2025))*

*History: Laws, 1988, ch. 588, § 2, eff from and after July 1, 1988, and it shall be applicable to contracts entered into after July 1, 1988.*

### **Section 75-87-5**

**Commissions due and payable within 21 days of termination of sales representative's contract.**

Whenever the contract between a sales representative and any principal is terminated, all commissions due the sales representative by the principal shall be due and payable within twenty-one (21) days of such termination.

*(MS Code § 75-87-5 (2025))*

*History: Laws, 1988, ch. 588, § 3, eff from and after July 1, 1988, and it shall be applicable to contracts entered into after July 1, 1988.*

### **Section 75-87-7**

**Action to recover commissions; triple commissions; attorney fees.**

Any principal who fails to timely pay the sales representative as provided in Section 75-87-5, shall be liable to the sales representative in a civil action for up to triple the commissions due to the sales representative, plus reasonable attorney's fees and costs.

*(MS Code § 75-87-7 (2025))*

*History: Laws, 1988, ch. 588, § 4, eff from and after July 1, 1988, and it shall be applicable to contracts entered into after July 1, 1988.*

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