

By: Representative Guice

To: Banks and Banking

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 821

1 AN ACT TO REENACT SECTIONS 75-67-501 THROUGH 75-67-537,
2 MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE LICENSURE AND
3 REGULATION OF CHECK CASHERS BY THE DEPARTMENT OF BANKING AND
4 CONSUMER FINANCE; TO AMEND REENACTED SECTION 75-67-501,
5 MISSISSIPPI CODE OF 1972, TO DELETE THE DEFINITION OF THE TERM
6 "CONSIDERATION"; TO AMEND REENACTED SECTIONS 75-67-505 AND
7 75-67-509, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE APPLICANT
8 SHALL FILE THE APPLICATION AND BOND WITH THE COMMISSIONER OF
9 BANKING, INSTEAD OF THE LOCAL AUTHORITIES; TO AMEND REENACTED
10 SECTION 75-67-511, MISSISSIPPI CODE OF 1972, TO REVISE THE NET
11 WORTH REQUIREMENTS FOR A CHECK CASHERS LICENSE; TO AMEND REENACTED
12 SECTION 75-67-515, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE
13 COMMISSIONER TO CHARGE AN EXAMINATION FEE; TO AMEND REENACTED
14 SECTIONS 75-67-507 AND 75-67-517, MISSISSIPPI CODE OF 1972, TO
15 REMOVE THE AUTHORIZATION FOR CASHING CHECKS FOR ANY CONSIDERATION
16 OTHER THAN A FEE; TO AMEND REENACTED SECTION 75-67-519,
17 MISSISSIPPI, TO PROVIDE THAT A LICENSEE MAY NOT HAVE OUTSTANDING
18 MORE THAN ONE CHECK FROM ANY CUSTOMER AT ANY ONE TIME; TO
19 AUTHORIZE THE LICENSEE TO CHARGE THE CUSTOMER A RETURNED CHECK
20 CHARGE IF A PAYOR FINANCIAL INSTITUTION RETURNS THE CUSTOMER'S
21 CHECK TO THE LICENSEE AND CHARGES THE LICENSEE A FEE; TO PROHIBIT
22 THE COLLECTION OF ANY OTHER FEES OR CHARGES FROM THE CUSTOMER AS A
23 RESULT OF A RETURNED CHECK; TO AMEND REENACTED SECTIONS 75-67-503,
24 75-67-513, 75-67-521, 75-67-523, 75-67-525, 75-67-527, 75-67-529,
25 75-67-531, 75-67-533, 75-67-535 AND 75-67-537, MISSISSIPPI CODE OF
26 1972, TO CHANGE REFERENCES TO CODE SECTION NUMBERS TO REFERENCES
27 TO "THIS ARTICLE"; TO AMEND SECTION 75-67-539, MISSISSIPPI CODE OF
28 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CHECK
29 CASHERS ACT; AND FOR RELATED PURPOSES.

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

31 SECTION 1. Section 75-67-501, Mississippi Code of 1972, is
32 reenacted and amended as follows:

33 75-67-501. This article shall be known and may be cited as
34 the "Mississippi Check Cashers Act."

35 SECTION 2. Section 75-67-503, Mississippi Code of 1972, is
36 reenacted and amended as follows:

37 75-67-503. The following words and phrases used in this
38 article shall have the following meanings unless the context
39 clearly indicates otherwise:

40 (a) "Appropriate law enforcement agency" means the
41 sheriff of each county in which the licensee maintains an office,
42 or the police chief of the municipality in which the licensee
43 maintains an office, or law enforcement officers of the Department
44 of Public Safety.

45 (b) "Attorney General" means the Attorney General of
46 the State of Mississippi.

47 (c) "Check" means any check, draft, money order,
48 personal money order, preauthorized customer draft, or other
49 instrument for the transmission or payment of money as determined
50 by the Commissioner of Banking and Consumer Finance, but shall not
51 include travelers checks or foreign drawn payment instruments.

52 (d) A "check casher" means any individual, partnership,
53 association, joint stock association, trust or corporation,
54 excluding the United States Government and the government of this
55 state, who exchanges cash or other value for any check, draft,
56 money order, personal money order, or other instrument for the
57 transmission or payment of money, except travelers checks and
58 foreign drawn payment instruments, and who charges a fee therefor.

59 (e) "Commissioner" means the Mississippi Commissioner
60 of Banking and Consumer Finance, or his designee, as the
61 designated official for the purpose of enforcing this article.

62 * * *

63 (f) "Department" means the Department of Banking and
64 Consumer Finance.

65 (g) "Licensee" means any individual, partnership,

66 association or corporation duly licensed by the Department of
67 Banking and Consumer Finance to engage in the business of cashing
68 checks under this article.

69 (h) "Person" means an individual, partnership,
70 corporation, joint venture, trust, association or any legal entity
71 however organized.

72 (i) "Personal money order" means any instrument for the
73 transmission or payment of money in relation to which the
74 purchaser or remitter appoints or purports to appoint the seller
75 thereof as his agent for the receipt, transmission or handling of
76 money, whether such instrument is signed by the seller or by the
77 purchaser or remitter or some other person.

78 SECTION 3. Section 75-67-505, Mississippi Code of 1972, is
79 reenacted and amended as follows:

80 75-67-505. (1) A person may not engage in business as a
81 check casher or otherwise portray himself as a check casher unless
82 the person has a valid license authorizing engagement in the
83 business. A separate license is required for each place of
84 business under this article and each business must be independent
85 of, and not a part of, any other business operation. A check
86 cashing business shall not be a part of, or located at the same
87 business address with, a pawnshop, title pledge office and small
88 loan company. However, a licensed check casher may, as a part of
89 his business, sell money orders and operate a processing center
90 where utility bills are collected from the general public and
91 governmental payments are distributed. The commissioner may issue
92 more than one (1) license to a person if that person complies with
93 this article for each license. A new license or application to

94 transfer an existing license is required upon a change, directly
95 or beneficially, in the ownership of any licensed check casher
96 business and an application shall be made to the commissioner in
97 accordance with this article.

98 (2) When a licensee wishes to move a check casher business
99 to another location, the licensee shall give thirty (30) days'
100 prior written notice to the commissioner who shall amend the
101 license accordingly.

102 (3) Each license shall remain in full force and effect until
103 relinquished, suspended, revoked or expired. Every licensee, on
104 or before each September 1, shall complete and file with the
105 commissioner an annual renewal application for each license held
106 by him. If the annual renewal application is not filed for
107 twenty-nine (29) days after September 1, the license shall
108 thereupon expire, but not before the thirtieth day of September of
109 any year for which the prior application has been filed.

110 (4) Notwithstanding other provisions of this article, the
111 commissioner may issue a temporary license authorizing the
112 operator of a check casher business on the receipt of an
113 application for a license involving principals and owners that are
114 substantially identical to those of an existing licensed check
115 casher. The temporary license is effective until the permanent
116 license is issued or denied.

117 (5) Notwithstanding other provisions of this article,
118 neither a new license nor an application to transfer an existing
119 license shall be required upon any change, directly or
120 beneficially, in the ownership of any licensed check casher
121 business incorporated under the laws of this state or any other

122 state as long as the licensee continues to operate as a
123 corporation doing a check casher business under the license.
124 However, the commissioner may require the licensee to provide such
125 information as he deems reasonable and appropriate concerning the
126 officers and directors of the corporation and persons owning in
127 excess of twenty-five percent (25%) of the outstanding shares of
128 the corporation.

129 SECTION 4. Section 75-67-507, Mississippi Code of 1972, is
130 reenacted and amended as follows:

131 75-67-507. The provisions of this article shall not apply
132 to:

133 (a) Any bank, trust company, savings association,
134 savings and loan association, savings bank or credit union which
135 is chartered under the laws of this state or under federal law and
136 domiciled in this state.

137 (b) Any person who cashes checks at their face value
138 and does not charge the consumer a fee or otherwise receive any
139 consideration from the consumer.

140 (c) Any person principally engaged in the retail sale
141 of goods or services who, either as an incident to or
142 independently of a retail sale, may from time to time cash checks
143 for a fee * * *, not exceeding three percent (3%) of the face
144 amount of the check or Ten Dollars (\$10.00), whichever is greater.

145 SECTION 5. Section 75-67-509, Mississippi Code of 1972, is
146 reenacted and amended as follows:

147 75-67-509. To be eligible for a check casher license, an
148 applicant shall:

149 (a) Operate lawfully and fairly within the purposes of

150 this article.

151 (b) Not have been convicted of a felony in the last ten
152 (10) years or be active as a beneficial owner for someone who has
153 been convicted of a felony in the last ten (10) years.

154 (c) File with the commissioner a bond with good
155 security in the penal sum of Ten Thousand Dollars (\$10,000.00),
156 payable to the State of Mississippi for the faithful performance
157 by the licensee of the duties and obligations pertaining to the
158 business so licensed and the prompt payment of any judgment which
159 may be recovered against the licensee on account of charges or
160 other claims arising directly or collectively from any violation
161 of the provisions of this article. The bond shall not be valid
162 until it is approved by the commissioner. The applicant may file,
163 in lieu of the bond, cash, a certificate of deposit or government
164 bonds in the amount of Ten Thousand Dollars (\$10,000.00). Those
165 deposits shall be filed with the commissioner and is subject to
166 the same terms and conditions as are provided for in the surety
167 bond required in this paragraph. Any interest or earnings on
168 those deposits are payable to the depositor.

169 (d) File with the commissioner an application for a
170 license and the initial license fee required in this article. If
171 applicant's application is approved, a check casher license will
172 be issued within thirty (30) days.

173 (e) Submit a set of fingerprints from any local law
174 enforcement agency. In order to determine the applicant's
175 suitability for license, the commissioner shall forward the
176 fingerprints to the Department of Public Safety; and if no
177 disqualifying record is identified at the state level, the

178 fingerprints shall be forwarded by the Department of Public Safety
179 to the Federal Bureau of Investigation for a national criminal
180 history record check.

181 (f) Complete and file with the commissioner an annual
182 renewal application for a license accompanied by the renewal fee
183 required in this article.

184 SECTION 6. Section 75-67-511, Mississippi Code of 1972, is
185 reenacted and amended as follows:

186 75-67-511. Each application for a license shall be in a form
187 prescribed by the commissioner, signed under oath, and shall
188 include the following:

189 (a) The legal name, residence and business address of
190 the applicant and, if the applicant is a partnership, association
191 or corporation, of every member, officer and director thereof.

192 However, the application need not state the full name and
193 address of each shareholder, if the applicant is owned directly or
194 beneficially by a person which as an issuer has a class of
195 securities registered under Section 12 of the Securities and
196 Exchange Act of 1934 or is an issuer of securities which is
197 required to file reports with the Securities and Exchange
198 Commission under Section 15(d) of the Securities and Exchange Act,
199 provided that the person files with the commissioner such
200 information, documents and reports as are required by the
201 provisions of the Securities and Exchange Act to be filed by the
202 issuer with the Securities and Exchange Commission.

203 (b) The complete address of the location at which the
204 applicant proposes to engage in the business of cashing checks.

205 (c) Other data and information the department may

206 require with respect to the applicant, its directors, trustees,
207 officers, members or agents.

208 (d) Sworn financial statements of the applicant showing
209 a net worth of at least Twenty Thousand Dollars (\$20,000.00) for
210 the first license. The applicant shall possess and maintain a net
211 worth of at least Twenty Thousand Dollars (\$20,000.00) for the
212 first license and at least Five Thousand Dollars (\$5,000.00) for
213 each additional license.

214 SECTION 7. Section 75-67-513, Mississippi Code of 1972, is
215 reenacted and amended as follows:

216 65-67-513. (1) Upon filing of an application in a form
217 prescribed by the commissioner, accompanied by the documents
218 required in this article, the department shall investigate to
219 ascertain whether the qualifications prescribed by Sections
220 75-67-509 and 75-67-511 have been satisfied. If the commissioner
221 finds that the qualifications have been satisfied and, if he
222 approves the documents so filed by the applicant, he shall issue
223 to the applicant a license to engage in the business of check
224 cashing in this state.

225 (2) The license shall be kept conspicuously posted in the
226 place of business of the licensee.

227 SECTION 8. Section 75-67-515, Mississippi Code of 1972, is
228 reenacted and amended as follows:

229 75-67-515. (1) The department may adopt reasonable
230 administrative regulations, not inconsistent with law, for the
231 enforcement of this article.

232 (2) To assure compliance with the provisions of this
233 article, the department may examine the books and records of any

234 licensee without notice during normal business hours. The
235 commissioner may charge the licensee an examination fee in an
236 amount not less than Two Hundred Dollars (\$200.00) nor more than
237 Three Hundred Dollars (\$300.00) per examination of each office or
238 location within the State of Mississippi plus any actual expenses
239 incurred while examining the licensee's records or books that are
240 located outside the State of Mississippi. However, in no event
241 shall a licensee be examined more than once in a two-year period
242 unless for cause shown based upon consumer complaint and/or other
243 exigent reasons as determined by the commissioner.

244 (3) Each licensee shall keep and use in its business any
245 books, accounts and records the department may require to carry
246 into effect the provisions of this article and the administrative
247 regulations issued under this article. Every licensee shall
248 preserve the books, accounts and records of its business for at
249 least two (2) years.

250 (4) Any fee charged by a licensee for cashing a check shall
251 be posted conspicuously to the bearer of the check before cashing
252 the check, and the fee shall be a service fee and not interest.

253 (5) Before a licensee deposits with any bank or other
254 depository institution a check cashed by the licensee, the check
255 shall be endorsed with the actual name under which the licensee is
256 doing business.

257 (6) All personal checks cashed for a customer by a licensee
258 shall be dated on the actual date the cash is tendered to the
259 customer.

260 (7) No licensee shall cash a check payable to a payee unless
261 the licensee has previously obtained appropriate identification of

262 the payee clearly indicating the authority of the person cashing
263 the check, draft or money order on behalf of the payee.

264 (8) No licensee shall indicate through advertising, signs,
265 billboards or otherwise that checks may be cashed without
266 identification of the bearer of the check; and any person seeking
267 to cash a check shall be required to submit reasonable
268 identification as prescribed by the department. The provisions of
269 this subsection shall not prohibit a licensee from cashing a check
270 simultaneously with the verification and establishment of the
271 identity of the presenter by means other than presentation of
272 identification.

273 (9) Within five (5) business days after being advised by the
274 payor financial institution that a check has been altered, forged,
275 stolen, obtained through fraudulent or illegal means, negotiated
276 without proper legal authority or represents the proceeds of
277 illegal activity, the licensee shall notify the department and the
278 district attorney for the judicial district in which the check was
279 received. If a check is returned to the licensee by the payor
280 financial institution for any of these reasons, the licensee may
281 not release the check without consent of the district attorney or
282 other investigating law enforcement authority.

283 (10) If a check is returned to a licensee from a payor
284 financial institution because there are insufficient funds in or
285 on deposit with the financial institution to pay the check, the
286 licensee or any other person on behalf of the licensee shall not
287 institute or initiate any criminal prosecution against the maker
288 or drawer of the personal check with the intent and purpose of
289 aiding in the collection of or enforcing the payment of the amount

290 owed to the check casher by the maker or drawer of the check.

291 SECTION 9. Section 75-67-517, Mississippi Code of 1972, is
292 reenacted and amended as follows:

293 75-67-517. Notwithstanding any other provision of law, no
294 check cashing business licensed under this article shall directly
295 or indirectly charge or collect fees * * * for check cashing
296 services in excess of the following:

297 (a) Three percent (3%) of the face amount of the check
298 or Five Dollars (\$5.00), whichever is greater, for checks issued
299 by the federal government, state government, or any agency of the
300 state or agency of the state or federal government, or any county
301 or municipality of this state.

302 (b) Ten percent (10%) of the face amount of the check
303 or Five Dollars (\$5.00), whichever is greater, for personal
304 checks.

305 (c) Five percent (5%) of the face amount of the check
306 or Five Dollars (\$5.00), whichever is greater, for all other
307 checks, or for money orders.

308 A licensee may not advance monies on the security of any
309 personal check unless the presenter attests that the check being
310 presented is drawn on a legitimate, open and active account.
311 Except as provided by Section 75-67-519, any licensee who cashes a
312 check for a fee shall deposit the check not later than three (3)
313 business days from the date the check is cashed.

314 SECTION 10. Section 75-67-519, Mississippi Code of 1972, is
315 reenacted and amended as follows:

316 75-67-519. (1) A licensee may defer the deposit of a
317 personal check cashed for a customer for up to thirty (30) days

318 under the provisions of this section.

319 (2) The face amount of any delayed deposit check cashed
320 under the provisions of this section shall not exceed Four Hundred
321 Dollars (\$400.00). Each customer is limited to a maximum amount
322 of Four Hundred Dollars (\$400.00) at any time. No licensee may
323 have outstanding more than one (1) check from any one (1) customer
324 at any one (1) time.

325 (3) Each delayed deposit check cashed by a licensee shall be
326 documented by a written agreement that has been signed by the
327 customer and the licensee. The written agreement shall contain a
328 statement of the total amount of any fees charged, expressed as a
329 dollar amount and as an annual percentage rate. The written
330 agreement shall authorize the licensee to defer deposit of the
331 personal check until a specific date not later than thirty (30)
332 days from the date the check is cashed.

333 (4) A licensee shall not directly or indirectly charge any
334 fee or other consideration for cashing a delayed deposit check in
335 excess of eighteen percent (18%) of the face amount of the check.

336 (5) No check cashed under the provisions of this section
337 shall be repaid by the proceeds of another check cashed by the
338 same licensee or any affiliate of the licensee. A licensee shall
339 not * * * renew or otherwise extend any delayed deposit check. A
340 delayed deposit transaction is completed and a new transaction may
341 be entered into when the delayed deposit check is presented for
342 payment, deposited or redeemed by the customer by payment in full
343 in cash to the licensee.

344 (6) If a payor financial institution returns a customer's
345 check to the licensee because of insufficient funds, a closed

346 account or a stop payment order and the financial institution
347 charges the licensee a fee for the returned check, the licensee
348 may contract for and charge the customer a returned check charge
349 not exceeding the amount of the fee that the financial institution
350 charged the licensee, and the licensee may receive court-awarded
351 court costs. No other fees or charges, such as late fees,
352 collection costs or attorney's fees, may be charged or collected
353 from the customer as a result of a returned check or the default
354 by the customer in timely payment to the licensee.

355 (7) A licensee shall not offer coupon redemption, catalog
356 sales or other similar inducements as part of a delay deposit
357 transaction.

358 (8) The licensee may pay the customer for the delayed
359 deposit check in the form of the licensee's business check, money
360 order or cash. No additional fee may be charged by the licensee
361 for cashing the licensee's check.

362 SECTION 11. Section 75-67-521, Mississippi Code of 1972, is
363 reenacted and amended as follows:

364 75-67-521. (1) The commissioner may, after notice and
365 hearing, suspend or revoke a license if he finds that:

366 (a) The licensee, either knowingly, or without the
367 exercise of due care to prevent the same, has violated any
368 provision of this article;

369 (b) Any fact or condition exists which, if it had
370 existed or had been known to exist at the time of the original
371 application for the license, clearly would have justified the
372 commissioner in refusing the license;

373 (c) The licensee has aided, abetted or conspired with

374 an individual or person to circumvent or violate the requirement
375 of this article;

376 (d) The licensee, or a legal or beneficial owner of the
377 license, has been convicted of a felony, or has been convicted of
378 a misdemeanor that the commissioner finds directly relates to the
379 duties and responsibilities of the business of check cashing.

380 (2) The commissioner may conditionally license or place on
381 probation a person whose license has been suspended or may
382 reprimand a licensee for a violation of this article.

383 (3) The manner of giving notice and conducting a hearing as
384 required by subsection (1) of this section shall be performed in
385 accordance with procedures prescribed by the commissioner in rules
386 or regulations adopted under Mississippi Administrative Procedures
387 Law, Section 25-43-1 et seq.

388 (4) Any licensee may surrender any license by delivering it
389 to the commissioner with written notice of its surrender, but that
390 surrender shall not affect the licensee's civil or criminal
391 liability for acts committed prior thereto.

392 (5) The commissioner may reinstate suspended licenses or
393 issue new licenses to a person whose license or licenses have been
394 revoked if no fact or condition then exists which clearly would
395 have justified the commissioner in refusing originally to issue a
396 license under this article.

397 (6) The appropriate local law enforcement agency shall be
398 notified of any licensee who has his license suspended or revoked
399 as provided by this article.

400 (7) The commissioner shall enforce the provisions of this
401 section.

402 SECTION 12. Section 75-67-523, Mississippi Code of 1972, is
403 reenacted and amended as follows:

404 75-67-523. The commissioner, or his duly authorized
405 representative, for the purpose of discovering violations of this
406 article and for the purpose of determining whether persons are
407 subject to the provisions of this article, may examine persons
408 licensed under this article and persons reasonably suspected by
409 the commissioner of conducting business which requires a license
410 under this article, including all relevant books, records and
411 papers employed by those persons in the transaction of their
412 business, and may summon witnesses and examine them under oath
413 concerning matters relating to the business of those persons, or
414 such other matters as may be relevant to the discovery of
415 violations of this article, including without limiting the conduct
416 of business without a license as required under this article.

417 SECTION 13. Section 75-67-525, Mississippi Code of 1972, is
418 reenacted and amended as follows:

419 75-67-525. Any person who engages in the business of check
420 cashing without first securing a license prescribed by this
421 article shall be guilty of a misdemeanor and upon conviction
422 thereof, shall be punishable by a fine not in excess of One
423 Thousand Dollars (\$1,000.00) or by confinement in the county jail
424 for not more than one (1) year, or both.

425 SECTION 14. Section 75-67-527, Mississippi Code of 1972, is
426 reenacted and amended as follows:

427 75-67-527. (1) In addition to any other penalty which may
428 be applicable, any licensee or employee who willfully violates any
429 provision of this article, or who willfully makes a false entry in

430 any record specifically required by this article, shall be guilty
431 of a misdemeanor and upon conviction thereof, shall be punishable
432 by a fine not in excess of One Thousand Dollars (\$1,000.00) per
433 violation or false entry.

434 (2) Compliance with the criminal provisions of this article
435 shall be enforced by the appropriate law enforcement agency, which
436 may exercise for that purpose any authority conferred upon the
437 agency by law.

438 (3) When the commissioner has reasonable cause to believe
439 that a person is violating any provision of this article, the
440 commissioner, in addition to and without prejudice to the
441 authority provided elsewhere in this article, may enter an order
442 requiring the person to stop or to refrain from the violation.
443 The commissioner may sue in any circuit court of the state having
444 jurisdiction and venue to enjoin the person from engaging in or
445 continuing the violation or from doing any act in furtherance of
446 the violation. In such an action, the court may enter an order or
447 judgment awarding a preliminary or permanent injunction.

448 (4) The commissioner may impose a civil penalty against any
449 licensee adjudged by the commissioner to be in violation of the
450 provisions of this article. The civil penalty shall not exceed
451 Five Hundred Dollars (\$500.00) per violation and shall be
452 deposited into the Department of Banking and Consumer Finance,
453 "Consumer Finance Fund."

454 (5) Any licensee convicted in the manner provided in this
455 article shall forfeit the surety bond or deposit required in
456 Section 75-67-509(c) * * * and the amount of the bond or deposit
457 shall be credited to the budget of the state or local agency which

458 directly participated in the prosecution of the licensee, for the
459 specific purpose of increasing law enforcement resources for that
460 specific state or local agency. The bond or deposit shall be used
461 to augment existing state and local law enforcement budgets and
462 not to supplant them.

463 SECTION 15. Section 75-67-529, Mississippi Code of 1972, is
464 reenacted and amended as follows:

465 75-67-529. The provisions of this article are severable. If
466 any part of this article is declared invalid or unconstitutional,
467 that declaration shall not affect the parts which remain.

468 SECTION 16. Section 75-67-531, Mississippi Code of 1972, is
469 reenacted and amended as follows:

470 75-67-531. Check cashers operating check cashing locations
471 in business as of July 1, 1998, shall have until September 30,
472 1998, to apply for a license under this article, and upon the
473 approval of the application, the commissioner shall grant a
474 license under this article.

475 SECTION 17. Section 75-67-533, Mississippi Code of 1972, is
476 reenacted and amended as follows:

477 75-67-533. The commissioner shall develop and provide any
478 necessary forms to carry out the provisions of this article.

479 SECTION 18. Section 75-67-535, Mississippi Code of 1972, is
480 reenacted and amended as follows:

481 75-67-535. Municipalities in this state may enact ordinances
482 which are in compliance with, but not more restrictive than, the
483 provisions of this article. Any existing or future order,
484 ordinance or regulation which conflicts with this provision shall
485 be null and void.

486 SECTION 19. Section 75-67-537, Mississippi Code of 1972, is
487 reenacted and amended as follows:

488 75-67-537. The commissioner may employ the necessary
489 full-time employees above the number of permanent full-time
490 employees authorized for the department for fiscal year 1999, to
491 carry out and enforce the provisions of this article. The
492 commissioner may also expend the necessary funds to equip and
493 provide necessary travel expenses for those employees.

494 SECTION 20. Section 75-67-539, Mississippi Code of 1972, is
495 amended as follows:

496 75-67-539. * * * Sections 75-67-501 through 75-67-539 shall
497 stand repealed on July 1, 2001.

498 SECTION 21. This act shall take effect and be in force from
499 and after June 30, 1999.