

By: Senator(s) White (5th)

To: Business and
Financial
Institutions

SENATE BILL NO. 2074

1 AN ACT TO AMEND SECTION 75-67-519, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THAT A CHECK CASHING LICENSEE SHALL NOT CHARGE ANY FEE
3 OR OTHER CONSIDERATION FOR CASHING A DELAYED DEPOSIT CHECK IN
4 EXCESS OF 18% OF THE AMOUNT ADVANCED TO THE CUSTOMER; AND FOR
5 RELATED PURPOSES.

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

7 SECTION 1. Section 75-67-519, Mississippi Code of 1972, is
8 amended as follows:

9 75-67-519. (1) A licensee may defer the deposit of a
10 personal check cashed for a customer for up to thirty (30) days
11 under the provisions of this section.

12 (2) The face amount of any delayed deposit check cashed
13 under the provisions of this section shall not exceed Four Hundred
14 Dollars (\$400.00).

15 (3) Each delayed deposit check cashed by a licensee shall be
16 documented by a written agreement that has been signed by the
17 customer and the licensee. The written agreement shall contain a
18 statement of the total amount of any fees charged, expressed as a
19 dollar amount and as an annual percentage rate. The written
20 agreement shall authorize the licensee to defer deposit of the
21 personal check until a specific date not later than thirty (30)
22 days from the date the check is cashed.

23 (4) A licensee shall not directly or indirectly charge any
24 fee or other consideration for cashing a delayed deposit check in
25 excess of eighteen percent (18%) of the * * * amount advanced to
26 the customer.

27 (5) No check cashed under the provisions of this section

28 shall be repaid by the proceeds of another check cashed by the
29 same licensee or any affiliate of the licensee. A licensee shall
30 not, for any consideration, renew or otherwise extend any delayed
31 deposit check.

32 SECTION 2. This act shall take effect and be in force from
33 and after July 1, 1999.