

By: Fleming

To: Banks and Banking

HOUSE BILL NO. 1354

1 AN ACT TO AMEND SECTION 75-67-403, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE A TITLE PLEDGE LENDER TO ENCUMBER THE TITLE AS PART
3 OF THE TITLE PLEDGE TRANSACTION BY PERFECTING ITS SECURITY
4 INTEREST IN THE TITLED PROPERTY; TO DEFINE THE TERM
5 "RECORDS/DOCUMENTS" FOR THE PURPOSES OF THE TITLE PLEDGE ACT; TO
6 AMEND SECTION 75-67-405, MISSISSIPPI CODE OF 1972, TO DIRECT THE
7 COMMISSIONER OF BANKING AND CONSUMER FINANCE TO ENSURE THAT ALL
8 TITLE PLEDGE TRANSACTION FORMS ARE WRITTEN IN CLEAR, CONCISE AND
9 NONTECHNICAL LANGUAGE THAT CAN BE READILY UNDERSTOOD BY
10 LAYPERSONS, AND THAT THE PROVISIONS OF THE TITLE PLEDGE AGREEMENT
11 ON THE TRANSACTION FORMS ARE IN A FORMAT THAT IS EASILY READABLE;
12 TO REQUIRE CERTAIN INFORMATION ON THE TRANSACTION FORMS TO BE
13 PROMINENTLY DISPLAYED IN RED COLOR, WITH A BOLDED FONT AND A
14 LETTER SIZE THAT IS SIGNIFICANTLY LARGER THAN OTHER PROVISIONS ON
15 THE FORM; TO REQUIRE THE TRANSACTION FORMS TO CONTAIN LANGUAGE
16 NEAR THE CENTER OF THE FORM IN RED COLOR, WITH A BOLDED FONT AND
17 THE LARGEST LETTER SIZE USED ON THE FORM, WARNING THE PLEDGOR THAT
18 IF HE DOES NOT REPAY THE FULL AMOUNT THAT HE OWES WITHIN THE TIME
19 ALLOWED, HE WILL RISK LOSING THE OWNERSHIP OF HIS CAR; TO AMEND
20 SECTION 75-67-409, MISSISSIPPI CODE OF 1972, TO REQUIRE TITLE
21 PLEDGE LENDERS TO MAINTAIN RECORDS CONTAINING A COMPLETE PAYMENT
22 HISTORY OF EACH CUSTOMER; TO AMEND SECTION 75-67-411, MISSISSIPPI
23 CODE OF 1972, TO AUTHORIZE A PLEDGOR IN A TITLE PLEDGE AGREEMENT
24 TO REDEEM THE PLEDGED PROPERTY WITHIN 72 HOURS AFTER THE TITLE
25 PLEDGE LENDER HAS TAKEN POSSESSION OF THE PROPERTY; TO PROVIDE
26 THAT IF THE LENDER SELLS THE PROPERTY AFTER THE 72-HOUR PERIOD,
27 THE LENDER SHALL RETURN TO THE PLEDGOR ANY AMOUNT RECEIVED FROM
28 THE SALE ABOVE THE AMOUNT NEEDED TO REDEEM THE PROPERTY; TO AMEND
29 SECTION 75-67-413, MISSISSIPPI CODE OF 1972, TO REDUCE THE AMOUNT
30 OF THE TITLE PLEDGE SERVICE CHARGE FROM 25% TO 16% PER MONTH; TO
31 REQUIRE A PLEDGOR TO REDUCE THE PRINCIPAL AMOUNT FINANCED BY AT
32 LEAST 10% BEGINNING WITH THE FIRST EXTENSION OR CONTINUATION,
33 RATHER THAN BEGINNING WITH THE THIRD; TO PROVIDE THAT ANY
34 ADDITIONAL PAYMENT OF FUNDS ON THE SAME PLEDGED PROPERTY MUST BE
35 EVIDENCED BY A SEPARATE TITLE PLEDGE AGREEMENT; TO PROHIBIT A
36 TITLE PLEDGE LENDER FROM ADVANCING FUNDS TO A PLEDGOR TO PAY OFF
37 AN EXISTING TITLE PLEDGE AGREEMENT; TO AMEND SECTION 75-67-419,
38 MISSISSIPPI CODE OF 1972, TO REVISE THE FEE FOR A TITLE PLEDGE
39 LENDER LICENSE; TO AMEND SECTION 75-67-421, MISSISSIPPI CODE OF
40 1972, TO PROVIDE THAT THE INITIAL APPLICATION AND BOND FOR A TITLE
41 PLEDGE LENDER LICENSE SHALL BE FILED WITH THE COMMISSIONER OF
42 BANKING, INSTEAD OF THE LOCAL AUTHORITIES; TO REQUIRE THE
43 DEPARTMENT OF BANKING AND CONSUMER FINANCE TO CHECK WITH LOCAL LAW
44 ENFORCEMENT AGENCIES IN THE COUNTY IN WHICH THE TITLE PLEDGE
45 OFFICE IS TO BE LOCATED TO HELP DETERMINE THE SUITABILITY OF THE
46 APPLICANT TO RECEIVE A LICENSE; TO AMEND SECTION 75-67-435,
47 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING
48 TO CHARGE TITLE PLEDGE LICENSEES AN EXAMINATION FEE; TO CREATE A
49 NEW CODE SECTION TO BE CODIFIED WITHIN ARTICLE 9 OF CHAPTER 67 OF
50 TITLE 75, MISSISSIPPI CODE OF 1972, TO PROHIBIT LICENSEES UNDER

51 THE TITLE PLEDGE ACT FROM ADVERTISING, DISPLAYING OR PUBLISHING
52 ANY STATEMENT OR REPRESENTATION THAT IS FALSE, MISLEADING OR
53 DECEPTIVE; TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN
54 ARTICLE 9 OF CHAPTER 67 OF TITLE 75, MISSISSIPPI CODE OF 1972, TO
55 AUTHORIZE THE COMMISSIONER OF BANKING TO EXAMINE PERSONS
56 REASONABLY SUSPECTED OF CONDUCTING BUSINESS WHICH REQUIRES A
57 LICENSE UNDER THE TITLE PLEDGE LOAN ACT; AND FOR RELATED PURPOSES.

58

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

60 SECTION 1. Section 75-67-403, Mississippi Code of 1972, is
61 amended as follows:

62 75-67-403. The following words and phrases shall have the
63 following meanings:

64 (a) "Appropriate law enforcement agency" means the
65 sheriff of each county in which the title pledge lender maintains
66 an office, or the police chief of the municipality or law
67 enforcement officers of the Department of Public Safety in which
68 the title pledge lender maintains an office.

69 (b) "Attorney General" means the Attorney General of
70 the State of Mississippi.

71 (c) "Commissioner" means the Commissioner of Banking
72 and Consumer Finance of the State of Mississippi, or his designee,
73 as the designated official for the purpose of enforcing this
74 article.

75 (d) "Identification" means a government issued
76 photographic identification.

77 (e) "Person" means an individual, partnership,
78 corporation, joint venture, trust, association or other legal
79 entity.

80 (f) "Pledged property" means any personal property
81 certificate of title that is deposited with a title pledge lender
82 in the course of the title pledge lender's business and is the
83 subject of a title pledge agreement.

84 (g) "Pledgor" means the person to whom the property is
85 titled.

86 (h) "Title pledge agreement" means a thirty-day written

87 agreement whereby a title pledge lender agrees to make a loan of
88 money to a pledgor, and the pledgor agrees to give the title
89 pledge lender a security interest in unencumbered titled personal
90 property owned by the pledgor. The pledgor shall agree that the
91 title pledge lender keep possession of the certificate of title.
92 The pledgor shall have the exclusive right to redeem the
93 certificate of title by repaying the loan of money in full and by
94 complying with the title pledge agreement. When the certificate
95 of title is redeemed, the title pledge lender shall release the
96 security interest in the titled personal property and return the
97 personal property certificate of title to the pledgor. The title
98 pledge agreement shall provide that upon failure by the pledgor to
99 redeem the certificate of title at the end of the original
100 thirty-day agreement period, or at the end of any extension(s)
101 thereof, the title pledge lender shall be allowed to take
102 possession of the titled personal property. The title pledge
103 agreement shall contain a power of attorney which authorizes the
104 title pledge lender to transfer title to the pledged property from
105 the pledgor to the title pledge lender upon failure to redeem the
106 pledged property on or before the maturity date of the title
107 pledge agreement, or any extension thereof. The title pledge
108 lender shall take physical possession of the certificate of title
109 for the entire length of the title pledge agreement, but shall not
110 be required to take physical possession of the titled personal
111 property at any time. A title pledge lender may only take
112 unencumbered certificates of title for pledge, but may encumber
113 the title as part of the title pledge transaction by perfecting
114 its security interest in the titled property.

115 (i) "Title pledge lender" means any person engaged in
116 the business of making title pledge agreements with pledgors;
117 provided, however, that the following are exempt from the
118 definition of "title pledge lender" and from the provisions of
119 this article: any bank which is regulated by the Department of

120 Banking and Consumer Finance, the Comptroller of the Currency of
121 the United States, the Federal Deposit Insurance Corporation, the
122 Board of Governors of the Federal Reserve System or any other
123 federal or state authority and all affiliates of such bank, and
124 additionally any bank or savings and loan association whose
125 deposits or accounts are eligible for insurance by the Bank
126 Insurance Fund or the Savings Association Insurance Fund or other
127 fund administered by the Federal Deposit Insurance Corporation or
128 any successor thereto, and all affiliates of such banks and
129 savings and loan associations, any state or federally chartered
130 credit union and finance company subject to licensing and
131 regulation by the Department of Banking and Consumer Finance.

132 (j) "Title pledge office" means the location at which,
133 or premises in which, a title pledge lender regularly conducts
134 business. No business other than title pledge business shall be
135 conducted at a title pledge office.

136 (k) "Title pledge service charge" means a charge for
137 investigating the title, appraising the titled personal property
138 to which the pledged property relates, documenting and closing the
139 title pledge agreement transaction, making required reports to
140 appropriate law enforcement officials, and for all of the services
141 provided by the title pledge lender.

142 (l) "Title pledge transaction form" means the
143 instrument on which a title pledge lender records title pledge
144 agreements pursuant to this article.

145 (m) "Titled personal property" means any personal
146 property the ownership of which is evidenced and delineated by a
147 state-issued certificate of title.

148 (n) "Records" or "documents" means any item in hard
149 copy or produced in a format of storage commonly described as
150 electronic, imaged, magnetic, microphotographic or otherwise, and
151 any reproduction so made shall have the same force and effect as
152 the original thereof and be admitted in evidence equally with the

153 original.

154 SECTION 2. Section 75-67-405, Mississippi Code of 1972, is
155 amended as follows:

156 75-67-405. (1) At the time the title pledge lender enters
157 into each title pledge agreement, the title pledge lender shall
158 complete a consecutively numbered title pledge transaction form
159 for such transaction, and the pledgor shall sign the completed
160 form. The commissioner shall approve the design and format of the
161 title pledge transaction form, which shall elicit the information
162 required under this section. The commissioner shall ensure that
163 all title pledge transaction forms are written in clear, concise
164 and nontechnical language that can be readily understood by
165 laypersons, and that the provisions of the title pledge agreement
166 on the transaction forms are in a format that is easily readable.

167 In completing the title pledge transaction form, the title pledge
168 lender shall record the following information, which shall be
169 typed or written indelibly and legibly in English:

170 (a) The make, model and year of the titled personal
171 property to which the pledged property relates.

172 (b) The vehicle identification number, or other
173 comparable identification number, along with the license plate
174 number, if applicable, of the titled personal property to which
175 the pledged property relates.

176 (c) The name, address, date of birth, physical
177 description, social security number of the pledgor and one (1)
178 photo identification.

179 (d) The date of the transaction.

180 (e) The identification number and the type of
181 identification (including the issuing agency) accepted from the
182 pledgor.

183 (f) The amount of money advanced, which shall be
184 designated as the "amount financed."

185 (g) The maturity date of the title pledge agreement,

186 which shall be thirty (30) days after the date of the transaction.

187 (h) The total title pledge service charge payable on
188 the maturity date, designated as the "finance charge."

189 (i) The total amount (amount financed plus finance
190 charge) which must be paid to redeem the pledged property on the
191 maturity date, designated as the "total of payments."

192 (j) The annual percentage rate, computed in accordance
193 with the regulations adopted by the Federal Reserve Board pursuant
194 to the Federal Truth-in-Lending Act.

195 (2) The information required in paragraphs (f) through (j)
196 of subsection (1) shall be prominently displayed in red color on
197 the form, with a bolded font and a letter size that is
198 significantly larger than other provisions on the form.

199 (3) In addition to the information required in subsections
200 (1) and (2), the form shall contain the following language near
201 the center of the form, which shall be in red color, with a bolded
202 font and the largest letter size used on the form: "WARNING: IF
203 YOU DO NOT REPAY THE FULL AMOUNT THAT YOU OWE WITHIN THE TIME
204 ALLOWED, YOU WILL RISK LOSING THE OWNERSHIP OF YOUR CAR (OR OTHER
205 PROPERTY PLEDGED)."

206 SECTION 3. Section 75-67-409, Mississippi Code of 1972, is
207 amended as follows:

208 75-67-409. (1) The pledgor shall sign a statement verifying
209 that the pledgor is the rightful owner of the pledged property and
210 is entitled to pledge it. The pledgor shall receive an exact copy
211 of the title pledge agreement which shall be signed by the title
212 pledge lender or any employee of the title pledge lender.

213 (2) The title pledge lender shall maintain a record of all
214 transactions of pledged property on the premises for a period of
215 two (2) years. A title pledge lender upon request shall provide
216 to the appropriate law enforcement agency a complete record of all
217 transactions. These records shall be a correct copy of the
218 entries made of the title pledge transaction, except as to the

219 amount of cash advanced for the pledged property and the monthly
220 title pledge charge.

221 (3) The title pledge lender shall maintain records that
222 contain a complete payment history of each customer evidencing all
223 principal payments, service charge and/or other charges. Those
224 records also shall reflect any unpaid principal balance as well as
225 a payoff balance that includes the accrued service charges.

226 SECTION 4. Section 75-67-411, Mississippi Code of 1972, is
227 amended as follows:

228 75-67-411. (1) A pledgor shall have no obligation to redeem
229 pledged property or make any payment on a title pledge
230 transaction. Upon the pledgor's failure to redeem the pledged
231 property on or before the maturity date of the title pledge
232 agreement or any extension or continuation thereof, the title
233 pledge lender has the right to take possession of the titled
234 personal property and to exercise a power of attorney to transfer
235 title to the pledged property. In taking possession, the title
236 pledge lender or his agent may proceed without judicial process if
237 this can be done without breach of the peace; or, if necessary,
238 may proceed by action to obtain judicial process.

239 (2) If, within thirty (30) days after the maturity date, the
240 pledgor redeems the pledged property by paying all outstanding
241 principal, interest and other customary fees, the pledgor shall be
242 given possession of the titled personal property and the pledged
243 property without further charge.

244 (3) If the pledgor fails to redeem the pledged property
245 during the thirty-day period provided in subsection (2) of this
246 section, then the pledgor shall thereby forfeit all right, title
247 and interest in and to the titled personal property and the
248 pledged property to the title pledge lender who shall thereby
249 acquire an absolute right of title and ownership to the titled
250 personal property. The title pledge lender shall then have the
251 sole right and authority to sell or dispose of the titled personal

252 property.

253 (4) Notwithstanding anything in the preceding subsections of
254 this section, the pledgor shall have seventy-two (72) hours after
255 the title pledge lender has taken possession of the titled
256 personal property to redeem the property by paying the amount of
257 the unpaid principal balance, the delinquent service charge and
258 the actual cost of the repossession. If the title pledge lender
259 sells the titled personal property after the seventy-two-hour
260 period, the title pledge lender shall return to the pledgor any
261 amount received from the sale above the amount of the unpaid
262 principal balance, the delinquent service charge and the actual
263 cost of the repossession.

264 SECTION 5. Section 75-67-413, Mississippi Code of 1972, is
265 amended as follows:

266 75-67-413. (1) A title pledge lender may contract for and
267 receive a title pledge service charge in lieu of interest or other
268 charges for all services, expenses, cost and losses of every
269 nature not to exceed sixteen percent (16%) of the principal
270 amount, per month, advanced in the title pledge transaction.

271 (2) Any interest, charge or fees contracted for or received,
272 directly or indirectly, in excess of the amount permitted under
273 subsection (1) of this section shall be uncollectible and the
274 title pledge transaction shall be void. The title pledge service
275 charge allowed under subsection (1) of this section shall be
276 deemed earned, due and owing as of the date of the title pledge
277 transaction and a like sum shall be deemed earned, due and owing
278 on the thirty-first day from the date of the transaction and on
279 every thirtieth day thereafter.

280 (3) By agreement of the parties, the maturity date of the
281 title pledge transaction may be extended or continued for
282 thirty-day periods, provided that the service charges as specified
283 in subsection (1) are not exceeded for any extensions. All
284 extensions or continuations of the title pledge transaction shall

285 be evidenced in writing. No accrued interest or service charge
286 shall be capitalized or added to the original principal of the
287 title pledge transaction during any extension or continuation.
288 Beginning with the first extension or continuation, the principal
289 amount financed shall be reduced by at least ten percent (10%) of
290 the original principal amount for each successive extension or
291 continuation. Failure by the pledgor to pay at least ten percent
292 (10%) of the original principal amount of the title pledge
293 transaction at the maturity date of each such successive extension
294 or continuation shall cause the remaining principal and any
295 service charges or fees to become immediately due and payable.

296 (4) Any additional payment of funds on the same pledged
297 property must be evidenced by a separate title pledge agreement.
298 A title pledge lender shall not advance funds to a pledgor to pay
299 off an existing title pledge agreement.

300 SECTION 6. Section 75-67-419, Mississippi Code of 1972, is
301 amended as follows:

302 75-67-419. (1) A person may not engage in business as a
303 title pledge lender or otherwise portray himself as a title pledge
304 lender unless the person has a valid license authorizing
305 engagement in the business. A separate license is required for
306 each place of business under this article. The commissioner may
307 issue more than one (1) license to a person if that person
308 complies with this article for each license. A new license or
309 application to transfer an existing license is required upon a
310 change, directly or beneficially, in the ownership of any licensed
311 title pledge office and an application shall be made to the
312 commissioner in accordance with this article.

313 (2) When a licensee wishes to move a title pledge office to
314 another location, the licensee shall give thirty (30) days prior
315 written notice to the commissioner who shall amend the license
316 accordingly.

317 (3) Each license shall remain in full force and effect until

318 relinquished, suspended, revoked or expired. With each initial
319 application for a license, the applicant shall pay the
320 commissioner at the time of making the application a license fee
321 of Seven Hundred Fifty Dollars (\$750.00), and on or before June 1
322 of each year thereafter, an annual renewal fee of Four Hundred
323 Seventy-five Dollars (\$475.00). If the annual fee remains unpaid
324 thirty (30) days after June 1, the license shall thereupon expire,
325 but not before June 30 of any year for which the annual fee has
326 been paid. If any person engages in business as provided for in
327 this article without paying the license fee provided for in this
328 article before commencing business or before the expiration of
329 such person's current license, as the case may be, then the person
330 shall be liable for the full amount of the license fee, plus a
331 penalty in an amount not to exceed Twenty-five Dollars (\$25.00)
332 for each day that the person has engaged in the business without a
333 license or after the expiration of a license. All licensing fees
334 and penalties shall be paid into the Consumer Finance Fund of the
335 Department of Banking and Consumer Finance.

336 (4) Notwithstanding other provisions of this article, the
337 commissioner may issue a temporary license authorizing the
338 operation of a title pledge office on the receipt of an
339 application to transfer a license from one person to another or on
340 the receipt of an application for a license involving principals
341 and owners that are substantially identical to those of an
342 existing licensed title pledge office. The temporary license is
343 effective until the permanent license is issued or denied.

344 (5) Notwithstanding other provisions of this article,
345 neither a new license nor an application to transfer an existing
346 license shall be required upon any change, directly or
347 beneficially, in the ownership of any licensed title pledge office
348 incorporated under the laws of this state or any other state so
349 long as the licensee continues to operate as a corporation doing a
350 title pledge business under the license. The commissioner may,

351 however, require the licensee to provide such information as he
352 deems reasonable and appropriate concerning the officer and
353 directors of the corporation and persons owning in excess of
354 twenty-five percent (25%) of the outstanding shares of the
355 corporation.

356 SECTION 7. Section 75-67-421, Mississippi Code of 1972, is
357 amended as follows:

358 75-67-421. (1) To be eligible for a title pledge lender
359 license, an applicant shall:

360 (a) Operate lawfully and fairly within the purposes of
361 this article;

362 (b) Not have been convicted of a felony in the last ten
363 (10) years or be active as a beneficial owner for someone who has
364 been convicted of a felony in the last ten (10) years;

365 (c) File with the commissioner a bond with good
366 security in the penal sum of One Hundred Thousand Dollars
367 (\$100,000.00), payable to the State of Mississippi for the
368 faithful performance by the licensee of the duties and obligations
369 pertaining to the business so licensed and the prompt payment of
370 any judgment which may be recovered against the licensee on
371 account of damages or other claim arising directly or collaterally
372 from any violation of the provisions of this article; such bond
373 shall not be valid until it is approved by the commissioner; such
374 applicant may file, in lieu thereof, cash, a certificate of
375 deposit, or government bonds in the amount of Ten Thousand Dollars
376 (\$10,000.00), the deposit of which shall be filed with the
377 commissioner and is subject to the same terms and conditions as
378 are provided for in the surety bond required herein; any interest
379 or earnings on such deposits are payable to the depositor.

380 (d) File with the commissioner an application
381 accompanied by a set of fingerprints from any local law
382 enforcement agency, * * * and the initial license fee required in
383 this article. In order to determine the applicant's suitability

384 for license, the commissioner shall forward the fingerprints to
385 the Department of Public Safety; and if no disqualifying record is
386 identified at the state level, the fingerprints shall be forwarded
387 by the Department of Public Safety to the FBI for a national
388 criminal history record check.

389 (2) Upon the filing of an application in a form prescribed
390 by the commissioner, accompanied by the fee and documents required
391 in this article, the department shall investigate to ascertain
392 whether the qualifications prescribed by this article have been
393 satisfied. The department shall check with local law enforcement
394 agencies in the county in which the title pledge office is to be
395 located to help determine the suitability of the applicant to
396 receive a license. If the commissioner finds that the
397 qualifications have been satisfied and, if he approves the
398 documents so filed by the applicant, he shall issue to the
399 applicant a license to engage in the business of title pledge
400 lending in this state.

401 (3) Complete and file with the commissioner an annual
402 renewal application accompanied by the renewal fee required in
403 this article.

404 (4) The license shall be kept conspicuously posted in the
405 place of business of the licensee.

406 SECTION 8. Section 75-67-435, Mississippi Code of 1972, is
407 amended as follows:

408 75-67-435. (1) The Commissioner of Banking and Consumer
409 Finance shall develop and provide any necessary forms to carry out
410 the provisions of this article.

411 (2) The department may adopt reasonable administrative
412 regulations, not inconsistent with law, for the enforcement of
413 this article.

414 (3) To assure compliance with the provision of this article,
415 the department may examine the books and records of any licensee
416 without notice during normal business hours. The commissioner may

417 charge the licensee an examination fee in an amount not less than
418 Two Hundred Dollars (\$200.00) nor more than Three Hundred Dollars
419 (\$300.00) per examination of each office or location within the
420 State of Mississippi, plus any actual expenses incurred while
421 examining the licensee's records or books that are located outside
422 the State of Mississippi. However, in no event shall a licensee
423 be examined more than once in a two-year period unless for cause
424 shown based upon consumer complaint and/or other exigent reasons
425 as determined by the commissioner.

426 SECTION 9. The following section shall be codified as a
427 separate code section within Article 9 of Chapter 67 of Title 75,
428 Mississippi Code of 1972:

429 75-67-_____. A licensee shall not advertise, display or
430 publish, or permit to be advertised, displayed or published, in
431 any manner whatsoever, any statement or representation that is
432 false, misleading or deceptive.

433 SECTION 10. The following section shall be codified as a
434 separate code section within Article 9 of Chapter 67 of Title 75,
435 Mississippi Code of 1972:

436 75-67-_____. The commissioner, or his duly authorized
437 representative, for the purpose of discovering violations of this
438 article and for the purpose of determining whether persons are
439 subject to the provisions of this article, may examine persons
440 licensed under this article and persons reasonably suspected by
441 the commissioner of conducting business that requires a license
442 under this article, including all relevant books, records and
443 papers employed by those persons in the transaction of their
444 business, and may summon witnesses and examine them under oath
445 concerning matters relating to the business of those persons, or
446 such other matters as may be relevant to the discovery of
447 violations of this article, including without limitation the
448 conduct of business without a license as required under this
449 article.

450 SECTION 11. This act shall take effect and be in force from
451 and after July 1, 2000.