SENATE BILL NO. 2602

AN ACT TO AMEND SECTION 75-67-315, MISSISSIPPI CODE OF 1972, TO PROHIBIT PAWNSHOPS FROM THE SALE OR TRADE OF HANDGUNS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 75-67-315, Mississippi Code of 1972, is amended as follows:

75-67-315. A pawnbroker and any clerk, agent or employee of such pawnbroker shall not:

(a) Fail to make an entry of any material matter in his record book;

(b) Make any false entry therein;

(c) Falsify, obliterate, destroy or remove from his place of business such records, books or accounts relating to the licensee's pawn transaction;

(d) Refuse to allow the commissioner, the appropriate law enforcement agency, the Attorney General or any other duly authorized state or federal law enforcement officer to inspect his pawn records or any pawn goods in his possession during the ordinary hours of business or other acceptable time to both parties;

(e) Fail to maintain a record of each pawn transaction for four (4) years;

(f) Accept a pledge or purchase property from a person under the age of eighteen (18) years;

(g) Accept a pledge of or purchase any handgun;

(h) Make any agreement requiring the personal liability of a pledgor or seller, or waiving any of the provisions of this

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act or providing for a maturity date less than thirty (30) days after the date of the pawn transaction;

(i) Fail to return or replace pledged goods to a pledgor or seller upon payment of the full amount due the pawnbroker unless the pledged goods have been taken into custody by a court or a law enforcement officer or agency;

(j) Sell or lease, or agree to sell or lease, pledged or purchased goods back to the pledgor or back to the seller in the same or related transaction;

(k) Sell or otherwise charge for insurance in connection with a pawn transaction;

(l) Remove pledged goods from the premises within thirty (30) days following the originally fixed maturity date;

(m) Accept a pledge or purchase property when such property has manufacturer's serial numbers which have been obviously removed and/or obliterated.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.