

By: Representative Beckett

To: Transportation

HOUSE BILL NO. 440

1 AN ACT TO AMEND SECTION 63-21-13, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE DESIGNATED AGENTS OF THE STATE TAX COMMISSION UNDER  
3 THE MISSISSIPPI MOTOR VEHICLE AND MANUFACTURED HOUSING TITLE LAW  
4 TO DEPOSIT CASH OR SECURITIES WITH THE STATE TAX COMMISSION FOR  
5 THE FAITHFUL PERFORMANCE OF THEIR DUTIES IN LIEU OF GIVING BOND;  
6 AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 63-21-13, Mississippi Code of 1972, is  
9 amended as follows:

10 63-21-13. (1) The tax collector of each of the several  
11 counties in this state shall by virtue of his office be a  
12 designated agent of the State Tax Commission. Such tax collectors  
13 may perform their duties under this chapter either personally or  
14 through any of their deputies.

15 (2) Every licensed dealer as defined in this chapter, shall  
16 be a designated agent of the State Tax Commission. Such dealers  
17 may perform their duties under this chapter either personally or  
18 through any of their officers or employees. Such dealers or  
19 persons shall enter into a bond with a surety company authorized  
20 to do business in this state as surety thereon, payable to the  
21 State of Mississippi in a sum to be determined by the commission,  
22 but in no case to be less than Fifteen Thousand Dollars  
23 (\$15,000.00), conditioned for the faithful performance of their  
24 duties under this chapter.

25 (3) The State Tax Commission may appoint persons other than  
26 licensed dealers as its designated agents, provided that such  
27 appointees shall enter into a bond with a surety company  
28 authorized to do business in this state as surety thereon, payable  
29 to the State of Mississippi in a sum to be determined by the

30 commission, but in no case to be less than Five Thousand Dollars  
31 (\$5,000.00), conditioned for the faithful performance of their  
32 duties under this chapter.

33 (4) In lieu of entering into bond as provided under  
34 subsection (2) or (3) of this section, a designated agent may  
35 place on deposit with the State Tax Commission cash in the amount  
36 of Fifteen Thousand Dollars (\$15,000.00), or certificates of  
37 deposit or other securities acceptable to the commission having a  
38 market value of at least Fifteen Thousand Dollars (\$15,000.00),  
39 conditioned for the faithful performance of the agent's duties  
40 under this chapter. Money or securities so deposited shall not be  
41 subject to attachment or execution unless such attachment or  
42 execution arises out of a suit for an act or omission in the  
43 performance of the agent's duties under this chapter.

44 **SECTION 2.** This act shall take effect and be in force from  
45 and after July 1, 2005.