

By: Senator(s) Harden

To: Business and Financial
Institutions

SENATE BILL NO. 2886

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

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

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

7 75-67-315. A pawnbroker and any clerk, agent or employee of
8 such pawnbroker shall not:

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

11 (b) Make any false entry therein;

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

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

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

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

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

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

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

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

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

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

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

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

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