

By: Representative Guice

To: Banking and Financial Services

HOUSE BILL NO. 660  
(As Sent to Governor)

1 AN ACT TO REENACT SECTIONS 75-67-501 THROUGH 75-67-537,  
2 MISSISSIPPI CODE OF 1972, WHICH CREATE THE MISSISSIPPI CHECK  
3 CASHERS ACT; TO AMEND REENACTED SECTION 75-67-505, MISSISSIPPI  
4 CODE OF 1972, TO DELETE PROVISIONS THAT ALLOW THE CHANGE OF  
5 OWNERSHIP OF A LICENSED CHECK CASHING BUSINESS WITHOUT OBTAINING A  
6 NEW LICENSE FOR THE BUSINESS; TO AMEND SECTION 75-67-539,  
7 MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE  
8 MISSISSIPPI CHECK CASHERS ACT; AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 75-67-501, Mississippi Code of 1972, is  
11 reenacted as follows:

12 75-67-501. This article shall be known and may be cited as  
13 the "Mississippi Check Cashers Act."

14 SECTION 2. Section 75-67-503, Mississippi Code of 1972, is  
15 reenacted as follows:

16 75-67-503. The following words and phrases used in this  
17 article shall have the following meanings unless the context  
18 clearly indicates otherwise:

19 (a) "Appropriate law enforcement agency" means the  
20 sheriff of each county in which the licensee maintains an office,  
21 or the police chief of the municipality in which the licensee  
22 maintains an office, or law enforcement officers of the Department  
23 of Public Safety.

24 (b) "Attorney General" means the Attorney General of  
25 the State of Mississippi.

26 (c) "Check" means any check, draft, money order,  
27 personal money order, pre-authorized customer draft, or other  
28 instrument for the transmission or payment of money as determined  
29 by the Commissioner of Banking and Consumer Finance, but shall not  
30 include travelers checks or foreign drawn payment instruments.

31 (d) A "check casher" means any individual, partnership,  
32 association, joint-stock association, trust or corporation,  
33 excluding the United States government and the government of this  
34 state, who exchanges cash or other value for any check, draft,  
35 money order, personal money order, or other instrument for the  
36 transmission or payment of money, except travelers checks and  
37 foreign drawn payment instruments, and who charges a fee therefor.

38 (e) "Commissioner" means the Mississippi Commissioner  
39 of Banking and Consumer Finance, or his designee, as the  
40 designated official for the purpose of enforcing this article.

41 (f) "Department" means the Department of Banking and  
42 Consumer Finance.

43 (g) "Licensee" means any individual, partnership,  
44 association or corporation duly licensed by the Department of  
45 Banking and Consumer Finance to engage in the business of cashing  
46 checks under this article.

47 (h) "Person" means an individual, partnership,  
48 corporation, joint venture, trust, association or any legal entity  
49 however organized.

50 (i) "Personal money order" means any instrument for the  
51 transmission or payment of money in relation to which the  
52 purchaser or remitter appoints or purports to appoint the seller  
53 thereof as his agent for the receipt, transmission or handling of  
54 money, whether such instrument is signed by the seller or by the  
55 purchaser or remitter or some other person.

56 **SECTION 3.** Section 75-67-505, Mississippi Code of 1972, is  
57 reenacted and amended as follows:

58 75-67-505. (1) (a) A person may not engage in business as  
59 a check casher or otherwise portray himself as a check casher  
60 unless the person has a valid license authorizing engagement in  
61 the business. A separate license is required for each place of  
62 business under this article and each business must be independent  
63 of, and not a part of, any other business operation. A check

64 cashing business shall not be a part of, or located at the same  
65 business address with, a pawnshop, title pledge office and small  
66 loan company.

67           (b) A check cashing business shall (i) have a  
68 definitive United States Postal address and E911 address; (ii)  
69 comply with local zoning requirements; (iii) have a minimum of one  
70 hundred (100) square feet with walls from floor to ceiling  
71 separating the operation from any other businesses; (iv) have an  
72 outside entrance, but may be located in an area that has a common  
73 lobby shared by other businesses as long as the customers do not  
74 enter the check cashing business through another business; (v)  
75 have proper signage; and (vi) maintain separate books and records.  
76 Any licensee who does not cash any delayed deposit checks as  
77 authorized under Section 75-67-519 shall not be subject to the  
78 requirements of subparagraphs (i), (iii) and (iv) of this  
79 paragraph.

80           (c) A licensed check casher may sell, at the same  
81 location as his check cashing business, the following items and  
82 services: money orders; income tax preparation service; copy  
83 service; wire transfer service; notary service; pagers; pager  
84 service; prepaid cellular service; debit card; prepaid telephone  
85 cards; prepaid telephone service; and operate a processing center  
86 where utility bills, credit card payments and other payments are  
87 collected from the general public and governmental and private  
88 payments are distributed. In the event a licensee accepts wire  
89 transfers in the form of a direct deposit of a payroll check or  
90 other similar types of deposit, the licensee shall not encumber  
91 any transferred funds against a deferred deposit agreement or any  
92 delinquent deferred deposit agreement with such customer. The  
93 commissioner may authorize additional functions in addition to  
94 those provided in this subsection that may be performed as part of  
95 a check cashing business.

96           (d) The commissioner may issue more than one (1)  
97 license to a person if that person complies with this article for  
98 each license. A new license \* \* \* is required upon a change,  
99 directly or beneficially, in the ownership of any licensed check  
100 casher business and an application shall be made to the  
101 commissioner in accordance with this article.

102           (2) When a licensee wishes to move a check casher business  
103 to another location, the licensee shall give thirty (30) days'  
104 prior written notice to the commissioner who shall amend the  
105 license accordingly.

106           (3) Each license shall remain in full force and effect until  
107 relinquished, suspended, revoked or expired. With each initial  
108 application for a license, the applicant shall pay the  
109 commissioner at the time of making the application a license fee  
110 of Seven Hundred Fifty Dollars (\$750.00), and on or before  
111 September 1 of each year thereafter, an annual renewal fee of Four  
112 Hundred Seventy-five Dollars (\$475.00). If the annual renewal fee  
113 remains unpaid twenty-nine (29) days after September 1, the  
114 license shall thereupon expire, but not before the thirtieth day  
115 of September of any year for which the annual fee has been paid.  
116 If any licensee fails to pay the annual renewal fee before the  
117 thirtieth day of September of any year for which the renewal fee  
118 is due, then the licensee shall be liable for the full amount of  
119 the license fee, plus a penalty in an amount not to exceed  
120 Twenty-five Dollars (\$25.00) for each day that the licensee has  
121 engaged in business after September 30. All licensing fees and  
122 penalties shall be paid into the Consumer Finance Fund of the  
123 Department of Banking and Consumer Finance.

124           (4) Notwithstanding other provisions of this article, the  
125 commissioner may issue a temporary license authorizing the  
126 operator of a check casher business on the receipt of an  
127 application for a license involving principals and owners that are  
128 substantially identical to those of an existing licensed check

129 cashier. The temporary license is effective until the permanent  
130 license is issued or denied.

131 \* \* \*

132 **SECTION 4.** Section 75-67-507, Mississippi Code of 1972, is  
133 reenacted as follows:

134 75-67-507. The provisions of this article shall not apply  
135 to:

136 (a) Any bank, trust company, savings association,  
137 savings and loan association, savings bank or credit union which  
138 is chartered under the laws of this state or under federal law and  
139 domiciled in this state.

140 (b) Any person who cashes checks at their face value  
141 and does not charge the consumer a fee or otherwise receive any  
142 consideration from the consumer.

143 (c) Any person principally engaged in the retail sale  
144 of goods or services who, either as an incident to or  
145 independently of a retail sale, may from time to time cash checks  
146 for a fee, not exceeding three percent (3%) of the face amount of  
147 the check or Ten Dollars (\$10.00), whichever is greater. However,  
148 the fee shall be conspicuously posted for public view.

149 **SECTION 5.** Section 75-67-509, Mississippi Code of 1972, is  
150 reenacted as follows:

151 75-67-509. To be eligible for a check cashier license, an  
152 applicant shall:

153 (a) Operate lawfully and fairly within the purposes of  
154 this article.

155 (b) Not have been convicted of a felony in the last ten  
156 (10) years or be active as a beneficial owner for someone who has  
157 been convicted of a felony in the last ten (10) years.

158 (c) File with the commissioner a bond with good  
159 security in the penal sum of Ten Thousand Dollars (\$10,000.00),  
160 payable to the State of Mississippi for the faithful performance  
161 by the licensee of the duties and obligations pertaining to the

162 business so licensed and the prompt payment of any judgment which  
163 may be recovered against the licensee on account of charges or  
164 other claims arising directly or collectively from any violation  
165 of the provisions of this article. The bond shall not be valid  
166 until it is approved by the commissioner. The applicant may file,  
167 in lieu of the bond, cash, a certificate of deposit or government  
168 bonds in the amount of Ten Thousand Dollars (\$10,000.00). Those  
169 deposits shall be filed with the commissioner and are subject to  
170 the same terms and conditions as are provided for in the surety  
171 bond required in this paragraph. Any interest or earnings on  
172 those deposits are payable to the depositor.

173 (d) File with the commissioner an application for a  
174 license and the initial license fee required in this article. If  
175 applicant's application is approved, a check casher license will  
176 be issued within thirty (30) days.

177 (e) Submit a set of fingerprints from any local law  
178 enforcement agency. In order to determine the applicant's  
179 suitability for license, the commissioner shall forward the  
180 fingerprints to the Department of Public Safety; and if no  
181 disqualifying record is identified at the state level, the  
182 fingerprints shall be forwarded by the Department of Public Safety  
183 to the FBI for a national criminal history record check.

184 (f) Complete and file with the commissioner an annual  
185 renewal application for a license accompanied by the renewal fee  
186 required in this article.

187 **SECTION 6.** Section 75-67-511, Mississippi Code of 1972, is  
188 reenacted as follows:

189 75-67-511. Each application for a license shall be in a form  
190 prescribed by the commissioner, signed under oath, and shall  
191 include the following:

192 (a) The legal name, residence and business address of  
193 the applicant and, if the applicant is a partnership, association  
194 or corporation, of every member, officer and director thereof.

195           However, the application need not state the full name and  
196 address of each shareholder, if the applicant is owned directly or  
197 beneficially by a person which as an issuer has a class of  
198 securities registered under Section 12 of the Securities and  
199 Exchange Act of 1934 or is an issuer of securities which is  
200 required to file reports with the Securities and Exchange  
201 Commission under Section 15(d) of the Securities and Exchange Act,  
202 provided that the person files with the commissioner such  
203 information, documents and reports as are required by the  
204 provisions of the Securities and Exchange Act to be filed by the  
205 issuer with the Securities and Exchange Commission.

206           (b) The complete address of the location at which the  
207 applicant proposes to engage in the business of cashing checks.

208           (c) Other data and information the department may  
209 require with respect to the applicant, its directors, trustees,  
210 officers, members or agents.

211           (d) Sworn financial statements of the applicant showing  
212 a net worth of at least Twenty Thousand Dollars (\$20,000.00) for  
213 the first license. The applicant shall possess and maintain a net  
214 worth of at least Twenty Thousand Dollars (\$20,000.00) for the  
215 first license and at least Five Thousand Dollars (\$5,000.00) for  
216 each additional license.

217           **SECTION 7.** Section 75-67-513, Mississippi Code of 1972, is  
218 reenacted as follows:

219           75-67-513. (1) Upon filing of an application in a form  
220 prescribed by the commissioner, accompanied by the documents  
221 required in this article, the department shall investigate to  
222 ascertain whether the qualifications prescribed by Sections  
223 75-67-509 and 75-67-511 have been satisfied. If the commissioner  
224 finds that the qualifications have been satisfied and, if he  
225 approves the documents so filed by the applicant, he shall issue  
226 to the applicant a license to engage in the business of check  
227 cashing in this state.

228           (2) The license shall be kept conspicuously posted in the  
229 place of business of the licensee.

230           **SECTION 8.** Section 75-67-515, Mississippi Code of 1972, is  
231 reenacted as follows:

232           75-67-515. (1) The department may adopt reasonable  
233 administrative regulations, not inconsistent with law, for the  
234 enforcement of this article.

235           (2) To assure compliance with the provisions of this  
236 article, the department may examine the books and records of any  
237 licensee without notice during normal business hours. The  
238 commissioner may charge the licensee an examination fee in an  
239 amount not less than Three Hundred Dollars (\$300.00) nor more than  
240 Six Hundred Dollars (\$600.00) for each office or location within  
241 the State of Mississippi plus any actual expenses incurred while  
242 examining the licensee's records or books that are located outside  
243 the State of Mississippi. However, in no event shall a licensee  
244 be examined more than once in a two-year period unless for cause  
245 shown based upon consumer complaint and/or other exigent reasons  
246 as determined by the commissioner.

247           (3) Each licensee shall keep and use in its business any  
248 books, accounts and records the department may require to carry  
249 into effect the provisions of this article and the administrative  
250 regulations issued under this article. Every licensee shall  
251 preserve the books, accounts and records of its business for at  
252 least two (2) years.

253           (4) Any fee charged by a licensee for cashing a check shall  
254 be posted conspicuously to the bearer of the check before cashing  
255 the check, and the fee shall be a service fee and not interest.

256           (5) Before a licensee deposits with any bank or other  
257 depository institution a check cashed by the licensee, the check  
258 shall be endorsed with the actual name under which the licensee is  
259 doing business.



260 (6) All personal checks cashed for a customer by a licensee  
261 shall be dated on the actual date the cash is tendered to the  
262 customer.

263 (7) No licensee shall cash a check payable to a payee unless  
264 the licensee has previously obtained appropriate identification of  
265 the payee clearly indicating the authority of the person cashing  
266 the check, draft or money order on behalf of the payee.

267 (8) No licensee shall indicate through advertising, signs,  
268 billboards or otherwise that checks may be cashed without  
269 identification of the bearer of the check; and any person seeking  
270 to cash a check shall be required to submit reasonable  
271 identification as prescribed by the department. The provisions of  
272 this subsection shall not prohibit a licensee from cashing a check  
273 simultaneously with the verification and establishment of the  
274 identity of the presenter by means other than presentation of  
275 identification.

276 (9) Within five (5) business days after being advised by the  
277 payor financial institution that a check has been altered, forged,  
278 stolen, obtained through fraudulent or illegal means, negotiated  
279 without proper legal authority or represents the proceeds of  
280 illegal activity, the licensee shall notify the department and the  
281 district attorney for the judicial district in which the check was  
282 received. If a check is returned to the licensee by the payor  
283 financial institution for any of these reasons, the licensee may  
284 not release the check without consent of the district attorney or  
285 other investigating law enforcement authority.

286 (10) If a check is returned to a licensee from a payor  
287 financial institution because there are insufficient funds in or  
288 on deposit with the financial institution to pay the check, the  
289 licensee or any other person on behalf of the licensee shall not  
290 institute or initiate any criminal prosecution against the maker  
291 or drawer of the personal check with the intent and purpose of

292 aiding in the collection of or enforcing the payment of the amount  
293 owed to the check casher by the maker or drawer of the check.

294 (11) Nothing in this article shall prohibit a licensee from  
295 issuing coupons to customers or potential customers which are  
296 redeemable against a deferred deposit transaction provided the  
297 redemption results in a financial benefit to the customer on  
298 current or future transactions.

299 **SECTION 9.** Section 75-67-516, Mississippi Code of 1972, is  
300 reenacted as follows:

301 75-67-516. A licensee shall not advertise, display or  
302 publish, or permit to be advertised, displayed or published, in  
303 any manner whatsoever, any statement or representation that is  
304 false, misleading or deceptive.

305 **SECTION 10.** Section 75-67-517, Mississippi Code of 1972, is  
306 reenacted as follows:

307 75-67-517. Notwithstanding any other provision of law, no  
308 check cashing business licensed under this article shall directly  
309 or indirectly charge or collect fees for check cashing services in  
310 excess of the following:

311 (a) Three percent (3%) of the face amount of the check  
312 or Five Dollars (\$5.00), whichever is greater, for checks issued  
313 by the federal government, state government, or any agency of the  
314 state or agency of the state or federal government, or any county  
315 or municipality of this state.

316 (b) Ten percent (10%) of the face amount of the check  
317 or Five Dollars (\$5.00), whichever is greater, for personal  
318 checks.

319 (c) Five percent (5%) of the face amount of the check  
320 or Five Dollars (\$5.00), whichever is greater, for all other  
321 checks, or for money orders.

322 A licensee may not advance monies on the security of any  
323 personal check unless the presenter attests that the check being  
324 presented is drawn on a legitimate, open and active account.

325 Except as provided by Section 75-67-519, any licensee who cashes a  
326 check for a fee shall deposit the check not later than three (3)  
327 business days from the date the check is cashed.

328 **SECTION 11.** Section 75-67-519, Mississippi Code of 1972, is  
329 reenacted as follows:

330 75-67-519. (1) A licensee may defer the deposit of a  
331 personal check cashed for a customer for up to thirty (30) days  
332 under the provisions of this section.

333 (2) The face amount of any delayed deposit check cashed  
334 under the provisions of this section shall not exceed Four Hundred  
335 Dollars (\$400.00). Each customer is limited to a maximum amount  
336 of Four Hundred Dollars (\$400.00) at any time.

337 (3) Each delayed deposit check cashed by a licensee shall be  
338 documented by a written agreement that has been signed by the  
339 customer and the licensee. The written agreement shall contain a  
340 statement of the total amount of any fees charged, expressed as a  
341 dollar amount and as an annual percentage rate. The written  
342 agreement shall authorize the licensee to defer deposit of the  
343 personal check until a specific date not later than thirty (30)  
344 days from the date the check is cashed.

345 (4) A licensee shall not directly or indirectly charge any  
346 fee or other consideration for cashing a delayed deposit check in  
347 excess of eighteen percent (18%) of the face amount of the check.

348 (5) No check cashed under the provisions of this section  
349 shall be repaid by the proceeds of another check cashed by the  
350 same licensee or any affiliate of the licensee. A licensee shall  
351 not renew or otherwise extend any delayed deposit check.

352 (6) A licensee shall not offer discount catalog sales or  
353 other similar inducements as part of a delayed deposit  
354 transaction.

355 (7) A licensee shall not charge a late fee or collection fee  
356 on any deferred deposit transaction as a result of a returned  
357 check or the default by the customer in timely payment to the

358 licensee. Notwithstanding anything to the contrary contained in  
359 this section, a licensee may charge a processing fee, not to  
360 exceed an amount authorized by the commissioner, for a check  
361 returned for any reason, including, without limitation,  
362 insufficient funds, closed account or stop payment, if such  
363 processing fee is authorized in the written agreement signed by  
364 the customer and licensee. In addition, if a licensee takes legal  
365 action against a customer to collect the amount of a delayed  
366 deposit check for which the licensee has not obtained payment and  
367 obtains a judgment against the customer for the amount of that  
368 check, the licensee shall also be entitled to any court-awarded  
369 fees.

370 (8) When cashing a delayed deposit check, a licensee may pay  
371 the customer in the form of the licensee's business check or a  
372 money order; however, no additional fee may then be charged by the  
373 licensee for cashing the licensee's business check or money order  
374 issued to the customer.

375 **SECTION 12.** Section 75-67-521, Mississippi Code of 1972, is  
376 reenacted as follows:

377 75-67-521. (1) The commissioner may, after notice and  
378 hearing, suspend or revoke a license if he finds that:

379 (a) The licensee, either knowingly, or without the  
380 exercise of due care to prevent the same, has violated any  
381 provision of this article;

382 (b) Any fact or condition exists which, if it had  
383 existed or had been known to exist at the time of the original  
384 application for the license, clearly would have justified the  
385 commissioner in refusing the license;

386 (c) The licensee has aided, abetted or conspired with  
387 an individual or person to circumvent or violate the requirement  
388 of this article;

389 (d) The licensee, or a legal or beneficial owner of the  
390 license, has been convicted of a felony, or has been convicted of

391 a misdemeanor that the commissioner finds directly relates to the  
392 duties and responsibilities of the business of check cashing.

393 (2) The commissioner may conditionally license or place on  
394 probation a person whose license has been suspended or may  
395 reprimand a licensee for a violation of this article.

396 (3) The manner of giving notice and conducting a hearing as  
397 required by subsection (1) of this section shall be performed in  
398 accordance with procedures prescribed by the commissioner in rules  
399 or regulations adopted under Mississippi Administrative Procedures  
400 Law, Section 25-43-1 et seq.

401 (4) Any licensee may surrender any license by delivering it  
402 to the commissioner with written notice of its surrender, but that  
403 surrender shall not affect the licensee's civil or criminal  
404 liability for acts committed prior thereto.

405 (5) The commissioner may reinstate suspended licenses or  
406 issue new licenses to a person whose license or licenses have been  
407 revoked if no fact or condition then exists which clearly would  
408 have justified the commissioner in refusing originally to issue a  
409 license under this article.

410 (6) The appropriate local law enforcement agency shall be  
411 notified of any licensee who has his license suspended or revoked  
412 as provided by this article.

413 (7) The commissioner shall enforce the provisions of this  
414 section.

415 **SECTION 13.** Section 75-67-523, Mississippi Code of 1972, is  
416 reenacted as follows:

417 75-67-523. The commissioner, or his duly authorized  
418 representative, for the purpose of discovering violations of this  
419 article and for the purpose of determining whether persons are  
420 subject to the provisions of this article, may examine persons  
421 licensed under this article and persons reasonably suspected by  
422 the commissioner of conducting business which requires a license  
423 under this article, including all relevant books, records and

424 papers employed by those persons in the transaction of their  
425 business, and may summon witnesses and examine them under oath  
426 concerning matters relating to the business of those persons, or  
427 such other matters as may be relevant to the discovery of  
428 violations of this article, including without limiting the conduct  
429 of business without a license as required under this article.

430         **SECTION 14.** Section 75-67-525, Mississippi Code of 1972, is  
431 reenacted as follows:

432             75-67-525. (1) Any person who engages in the business of  
433 check cashing without first securing a license prescribed by this  
434 article shall be guilty of a misdemeanor and upon conviction  
435 thereof, shall be punishable by a fine not in excess of One  
436 Thousand Dollars (\$1,000.00) or by confinement in the county jail  
437 for not more than one (1) year, or both.

438             (2) Any person who engages in the business of check cashing  
439 without first securing a license prescribed by this article shall  
440 be liable for the full amount of the license fee, plus a penalty  
441 in an amount not to exceed Twenty-five Dollars (\$25.00) for each  
442 day that the person has engaged in the business without a license.  
443 All licensing fees and penalties shall be paid into the Consumer  
444 Finance Fund of the Department of Banking and Consumer Finance.

445         **SECTION 15.** Section 75-67-527, Mississippi Code of 1972, is  
446 reenacted as follows:

447             75-67-527. (1) In addition to any other penalty which may  
448 be applicable, any licensee or employee who willfully violates any  
449 provision of this article, or who willfully makes a false entry in  
450 any record specifically required by this article, shall be guilty  
451 of a misdemeanor and upon conviction thereof, shall be punishable  
452 by a fine not in excess of One Thousand Dollars (\$1,000.00) per  
453 violation or false entry.

454             (2) Compliance with the criminal provisions of this article  
455 shall be enforced by the appropriate law enforcement agency, which

456 may exercise for that purpose any authority conferred upon the  
457 agency by law.

458 (3) When the commissioner has reasonable cause to believe  
459 that a person is violating any provision of this article, the  
460 commissioner, in addition to and without prejudice to the  
461 authority provided elsewhere in this article, may enter an order  
462 requiring the person to stop or to refrain from the violation.  
463 The commissioner may sue in any circuit court of the state having  
464 jurisdiction and venue to enjoin the person from engaging in or  
465 continuing the violation or from doing any act in furtherance of  
466 the violation. In such an action, the court may enter an order or  
467 judgment awarding a preliminary or permanent injunction.

468 (4) The commissioner may impose a civil penalty against any  
469 licensee adjudged by the commissioner to be in violation of the  
470 provisions of this article. The civil penalty shall not exceed  
471 Five Hundred Dollars (\$500.00) per violation and shall be  
472 deposited into the Department of Banking and Consumer Finance,  
473 "Consumer Finance Fund."

474 (5) Any licensee convicted in the manner provided in this  
475 article shall forfeit the surety bond or deposit required in  
476 Section 75-67-509(c) and the amount of the bond or deposit shall  
477 be credited to the budget of the state or local agency which  
478 directly participated in the prosecution of the licensee, for the  
479 specific purpose of increasing law enforcement resources for that  
480 specific state or local agency. The bond or deposit shall be used  
481 to augment existing state and local law enforcement budgets and  
482 not to supplant them.

483 **SECTION 16.** Section 75-67-529, Mississippi Code of 1972, is  
484 reenacted as follows:

485 75-67-529. The provisions of this article are severable. If  
486 any part of this article is declared invalid or unconstitutional,  
487 that declaration shall not affect the parts which remain.

488           **SECTION 17.** Section 75-67-531, Mississippi Code of 1972, is  
489 reenacted as follows:

490           75-67-531. Check cashers operating check cashing locations  
491 in business as of July 1, 1998, shall have until September 30,  
492 1998, to apply for a license under this article, and upon the  
493 approval of the application, the commissioner shall grant a  
494 license under this article.

495           **SECTION 18.** Section 75-67-533, Mississippi Code of 1972, is  
496 reenacted as follows:

497           75-67-533. The commissioner shall develop and provide any  
498 necessary forms to carry out the provisions of this article.

499           **SECTION 19.** Section 75-67-535, Mississippi Code of 1972, is  
500 reenacted as follows:

501           75-67-535. Municipalities in this state may enact ordinances  
502 which are in compliance with, but not more restrictive than, the  
503 provisions of this article. Any existing or future order,  
504 ordinance or regulation which conflicts with this provision shall  
505 be null and void.

506           **SECTION 20.** Section 75-67-537, Mississippi Code of 1972, is  
507 reenacted as follows:

508           75-67-537. The commissioner may employ the necessary  
509 full-time employees above the number of permanent full-time  
510 employees authorized for the department for fiscal year 1999, to  
511 carry out and enforce the provisions of this article. The  
512 commissioner may also expend the necessary funds to equip and  
513 provide necessary travel expenses for those employees.

514           **SECTION 21.** Section 75-67-539, Mississippi Code of 1972, is  
515 amended as follows:

516           75-67-539. Sections 75-67-501 through 75-67-537 shall stand  
517 repealed on July 1, 2012.

518           **SECTION 22.** This act shall take effect and be in force from  
519 and after July 1, 2007.