

By: Senator(s) Walls

To: Business and Financial
Institutions

SENATE BILL NO. 2262

1 AN ACT TO CREATE THE "CREDIT ENHANCEMENT LOAN ACT"; TO
 2 PROVIDE FOR FINDINGS OF THE LEGISLATURE; TO DEFINE CERTAIN TERMS
 3 AS USED IN THE ACT; TO REQUIRE LICENSING OF LENDERS BY THE
 4 DEPARTMENT OF BANKING AND CONSUMER FINANCE; TO PRESCRIBE PENALTIES
 5 FOR VIOLATIONS; TO PROVIDE FOR FEES PAYABLE TO THE DEPARTMENT; TO
 6 ESTABLISH REQUIREMENTS NECESSARY FOR ISSUANCE OF A LICENSE BY THE
 7 DEPARTMENT; TO PROVIDE FOR THE FORM AND CONTENTS OF AN
 8 APPLICATION; TO PROVIDE FOR REVOCATION OR SUSPENSION OF A LICENSE;
 9 TO PROVIDE FOR AMOUNTS OF LOANS AND INTEREST RATES; TO PROHIBIT
 10 MULTIPLE LOANS IN CERTAIN SITUATIONS; TO PROVIDE FOR ENFORCEMENT
 11 OF LOAN AGREEMENTS; TO PROVIDE FOR DISCLOSURE FORMS FOR THE
 12 CUSTOMER; TO PROVIDE FOR REPORTS TO CREDIT BUREAUS; TO REQUIRE
 13 MAINTENANCE OF FINANCIAL RECORDS BY LICENSEES; TO PROVIDE FOR
 14 REPORTS TO BE FILED WITH THE COMMISSIONER OF BANKING AND CONSUMER
 15 FINANCE; TO PROVIDE FOR DESIST ORDERS; TO PROVIDE FOR APPEALS FROM
 16 ACTIONS OF THE DEPARTMENT; TO PROVIDE FOR NONENFORCEMENT OF CREDIT
 17 ENHANCEMENT LOANS; AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** This chapter shall be known and may be cited as
 20 the "Credit Enhancement Loan Act."

21 **SECTION 2.** The Legislature of the State of Mississippi
 22 finds:

23 (a) Customer education for unbanked and underbanked
 24 customers is necessary in order to educate them on the various
 25 options for customer credit and financial services that are
 26 available;

27 (b) Mainstream banking services should be made
 28 available to unbanked customers to meet their individual financial
 29 needs;

30 (c) Accurate and understandable disclosure of agreement
 31 terms, conditions and the cost of obtaining credit is absolutely
 32 essential; and



33 (d) It is necessary to provide and support ongoing
34 activities to equitably provide mainstream financial services and
35 credit products to financially underserved customers while
36 providing a vehicle to bridge the gap of the financial empowerment
37 divide.

38 **SECTION 3.** The purpose of this chapter is to:

39 (a) Provide a vehicle for banking services and
40 mainstream credit products to build and rebuild credit histories
41 to enable customers in all segments of the financial spectrum,
42 especially the financially underserved and unbanked populations,
43 to improve their credit ratings and qualify for mainstream
44 financial services;

45 (b) Set forth a minimum set of parameters to establish
46 a credit enhancement loan that other financial institutions may
47 offer to qualified customers; and

48 (c) Recognize that oftentimes there is a high cost to a
49 financial institution in serving this segment of the customer
50 financial marketplace, and therefore a higher risk based interest
51 rate shall be permitted to cover this higher risk when a credit
52 enhancement loan is offered.

53 **SECTION 4.** As used in this chapter, the following terms
54 shall have the meanings ascribed to them in this section unless
55 the context requires a different meaning:

56 (a) "Amount of the extension of credit" means the
57 aggregate of the loan amounts, fees and other charges authorized
58 by this chapter.

59 (b) "Commissioner" means the Commissioner of Banking
60 and Consumer Finance.

61 (c) "Credit enhancement loan" means a short-term loan
62 that complies with all of the requirements of this chapter.

63 (d) "Creditable assets" means cash or bank deposits,
64 loans or extensions of credit made as a licensee pursuant to this



65 chapter or any other amounts as the commissioner may approve, or
66 any combination of two (2) or more of these amounts.

67 (e) "Customer" means any person who borrows money from
68 any licensee or who pays or obligates himself or herself to pay
69 any money or otherwise furnishes any valuable consideration to any
70 licensee for any act of the licensee as a licensee.

71 (f) "Department" means the Department of Banking and
72 Consumer Finance.

73 (g) "Deputy" means the Deputy Commissioner of Banking
74 and Consumer Finance.

75 (h) "License" means the license issued by the
76 commissioner under the authority of this chapter to issue credit
77 enhancement loans.

78 (i) "Licensee" means a person to whom one or more
79 licenses have been issued.

80 (j) "Loans" or "loan" means a loan made within this
81 state by a licensee pursuant to this chapter.

82 (k) "Person" includes any person, firm, partnership,
83 association, corporation or other legal entity.

84 **SECTION 5.** (1) No person shall engage in the business of
85 offering credit enhancement loans in amounts of Three Thousand
86 Dollars (\$3,000.00) or less and contract for, exact, or receive,
87 directly or indirectly, on or in connection with any credit
88 enhancement loan, any charges whether for interest, compensation,
89 consideration or expense, or any other purpose whatsoever, which
90 in the aggregate are greater than authorized by this chapter and
91 without first having obtained a license from the commissioner.
92 The term "lending" as used in this section includes, but is not
93 limited to, endorsing or otherwise securing extensions of credit
94 or contracts for the repayment of extensions of credit.

95 (2) The provisions of subsection (1) of this section shall
96 apply to any person who seeks to avoid its application by any
97 device, subterfuge or pretense whatsoever.



98 (3) Any person not exempt from this chapter who fails to
99 comply with or who otherwise violates any of the provisions of
100 this chapter or any regulation of the department adopted pursuant
101 to this chapter shall be guilty of a misdemeanor. Each violation
102 shall be considered a separate offense. It shall be the duty of
103 the commissioner to provide the district attorney of the court
104 having jurisdiction of any offense under this chapter with facts
105 and evidence in his or her actual or constructive possession and
106 to testify as to those facts upon the trial of any person for any
107 offense under this chapter.

108 (4) Any contract for the extension of credit the making or
109 collecting of which violates any provision of this chapter or
110 regulation issued pursuant to this chapter, except as a result of
111 accidental or bona fide error of computation, shall be void; and
112 the licensee or any other party in violation shall have no right
113 to collect, receive or retain any principal or charges whatsoever
114 with respect to that extension of credit.

115 **SECTION 6.** Each licensee, for the purpose of defraying
116 necessary expenses of the commissioner and his or her agents,
117 shall pay to the commissioner the fees prescribed in Section 7 of
118 this act at the times specified therein.

119 **SECTION 7.** (1) No person shall engage in or offer to engage
120 in the business of credit enhancement loans regulated by this
121 chapter unless and until a license has been issued by the
122 commissioner, and the commissioner shall issue a license under
123 this chapter if the commissioner finds that the applicant has, on
124 a consolidated basis and computed in accordance with generally
125 accepted accounting principles, a minimum net worth of not less
126 than One Million Dollars (\$1,000,000.00) at the time of
127 application for a license.

128 (2) Upon the receipt of an application, the commissioner
129 shall investigate the facts. The commissioner shall approve or
130 deny every application for a license within ninety (90) days from



131 the date a complete application is submitted. This period may be
132 extended by the written consent of the applicant. The
133 commissioner shall notify the applicant of the date when the
134 application is deemed complete. In the absence of approval or
135 denial of the application, or consent to the extension of the
136 ninety-day period, the application shall be deemed approved and
137 the commissioner shall issue the license effective as of the first
138 day after the ninety-day or extended period has elapsed. If the
139 commissioner reasonably determines from a preliminary
140 investigation that the applicant does not satisfy the conditions
141 set forth in subsection (1) of this section, the commissioner
142 shall so notify the applicant in writing and offer specific
143 findings of fact as to the provisions of this section that have
144 not been met. The applicant shall then be entitled to an informal
145 hearing on the decision that the applicant does not satisfy the
146 conditions set forth in this section, provided that the applicant
147 requests an informal hearing in writing within thirty (30) days
148 after receipt by the applicant of the notification of failure to
149 the applicant. In the event of an informal hearing, to be held in
150 the offices of the commissioner, the commissioner shall reconsider
151 the application and, after the hearing, issue a written order
152 granting or denying the application. The applicant shall be
153 entitled to a formal appeal and hearing as prescribed in Section
154 21 of this act.

155 (3) Each licensee shall continue at all times to have
156 available for the operation of the business on a consolidated
157 basis and computed in accordance with generally accepted
158 accounting principles a minimum net worth of not less than One
159 Million Dollars (\$1,000,000.00). The requirements and standards
160 of this subsection shall be maintained throughout the period of
161 the license, and failure to maintain these requirements or
162 standards shall be grounds for the revocation of a license under
163 the provisions of Section 10 of this act.



164 **SECTION 8.** (1) The application for license shall be made on
165 a form prepared and furnished by the commissioner and shall state
166 all of the following:

167 (a) The fact that the applicant desires to engage in
168 business under this chapter;

169 (b) Whether the applicant is an individual,
170 partnership, association, corporation or other legal entity;

171 (c) The name and address of the person who will manage
172 and be in immediate control of the business;

173 (d) The names and addresses of the owners of the
174 business and their percentage of equity in the business, unless
175 the commissioner deems it not feasible to furnish the information
176 because of the number of stockholders involved. This paragraph
177 shall not apply to publicly held corporations and their operating
178 subsidiaries; and

179 (e) When the applicant proposes to commence doing
180 business.

181 (2) The statements made in this application shall be sworn
182 to by the applicant or the persons making the application on the
183 applicant's behalf.

184 (3) At the time of making an application, the applicant
185 shall pay the department Two Thousand Five Hundred Dollars
186 (\$2,500.00) as a fee for investigating the application, which
187 shall be retained whether or not a license is granted to the
188 applicant.

189 **SECTION 9.** (1) A licensee may conduct and carry on its
190 business only at the location or locations that are approved by
191 the commissioner, and no changes shall be made from one location
192 to another without prior notice to the commissioner.

193 (2) The commissioner may issue more than one (1) license to
194 the same licensee for multiple places of business upon compliance
195 with all the provisions of this chapter governing issuance of a
196 license.



197 (3) If any change occurs in the primary name and address of
198 the licensee, the legal agent of a licensed corporation, or in the
199 membership of any licensed partnership, a full statement of the
200 change, sworn to as required by subsection (2) of Section 8 of
201 this act for an original application, shall be filed with the
202 commissioner within thirty (30) days.

203 **SECTION 10.** (1) The commissioner may issue an order
204 revoking or suspending the right of a licensee and an officer,
205 agent, employee, or representative to do business in Mississippi
206 as a licensee if the commissioner finds, after due notice and
207 hearing, or opportunity for hearing, that the licensee or an
208 officer, agent, employee, or representative of that licensee has
209 done any of the following:

210 (a) Materially failed to comply with the rules,
211 regulations, instructions or orders issued by the department;

212 (b) Materially failed or refused to make its reports to
213 the commissioner;

214 (c) Failed to pay the fees for its examination and
215 supervision that are validly due and owed; or

216 (d) Knowingly furnished false information to the
217 commissioner or the department.

218 Upon receipt of an order revoking or suspending the right of
219 that licensee to do business in Mississippi from the commissioner,
220 the licensee shall immediately surrender his or her license to the
221 commissioner. Within five (5) days after the entry of an order to
222 cease business in Mississippi, the commissioner shall place on
223 file his or her findings of fact and mail or otherwise deliver a
224 copy to the licensee. Any licensee who fails to make any
225 extension of credits during any period of one (1) year after being
226 licensed shall surrender his or her license to the commissioner.

227 (2) Any licensee may surrender any license by delivering it
228 to the commissioner with written notice of the surrender, but the
229 surrender shall not affect the licensee's civil or criminal



230 liability for acts committed prior to the surrender of the
231 license.

232 (3) No revocation, suspension, or surrender of any license
233 shall impair or affect the obligation of any preexisting lawful
234 contract between the licensee and any obligor.

235 (4) The commissioner, in his or her discretion, may
236 reinstate suspended licenses or issue new licenses to a person
237 whose license or licenses have been revoked or surrendered if and
238 when he or she determines no fact or condition exists which
239 clearly would have justified the commissioner in refusing
240 originally to issue the license under this chapter.

241 (5) The licensee shall be entitled to a formal appeal and
242 hearing as prescribed in Section 21 of this act.

243 **SECTION 11.** (1) Every licensee under this chapter shall
244 make credit available through credit enhancement loans in an
245 amount not exceeding Three Thousand Dollars (\$3,000.00) at a
246 maximum interest rate of up to nineteen and nine-tenths percent
247 (19.9%) per annum. Interest shall be contracted for and collected
248 at the single simple interest rate applied to the outstanding
249 balance that would earn the same amount of interest as the initial
250 rate for payment according to schedule.

251 (2) Interest on credit enhancement loans made pursuant to
252 this section shall not be paid, deducted, or received in advance.
253 Interest shall not be compounded, but interest on extension of
254 credit shall:

255 (a) Be computed and paid only as a percentage of the
256 unpaid principal balance or portion of the unpaid principal
257 balance; and

258 (b) Be computed on the basis of the number of days
259 actually elapsed.

260 If, however, part or all of the consideration for a credit
261 enhancement loan is the unpaid principal balance of a prior credit
262 enhancement loan, then the principal amount payable under the new



263 credit enhancement loan may include any unpaid interest on the
264 prior credit enhancement loan which has accrued within ninety (90)
265 days before the making of the new credit enhancement loan. For
266 the purpose of computing interest, a day shall equal one and three
267 hundred sixty-fifths ($1/365$) of a year. Any payment made on a
268 credit enhancement loan shall be applied first to any accrued
269 interest and then to principal. Any portion or all of the
270 principal balance on a credit enhancement loan may be prepaid at
271 any time without penalty.

272 (3) Minimum principal payment requirements on a credit
273 enhancement loan shall be 4 percent of the loan amount or
274 Twenty-five Dollars (\$25.00), whichever is greater. Customers
275 shall be billed monthly, at a minimum.

276 (4) In addition to the interest authorized in subsection (1)
277 of this section, a licensee offering credit enhancement loans
278 under this chapter may collect from the customer an annual fee of
279 up to One Hundred Eighty Dollars (\$180.00) for processing the
280 credit enhancement loan.

281 (5) A maximum one-time underwriting fee shall not exceed Ten
282 Dollars (\$10.00).

283 (6) The maximum monthly maintenance fee shall not exceed
284 Fifteen Dollars (\$15.00).

285 (7) The maximum fee for a late payment on a credit
286 enhancement loan shall be Twenty-five Dollars (\$25.00).

287 (8) The maximum fee charged for a returned check from a
288 borrower shall be Thirty Dollars (\$30.00).

289 (9) The minimum term of a credit enhancement loan shall be
290 three (3) months.

291 (10) Every licensee under this chapter shall report on a
292 periodic basis, based on accepted industry standards, credit
293 related data, as incurred, and without discrimination, to major
294 credit bureaus to assist customers who pay in a timely manner in
295 building or rebuilding their credit histories.



296 (11) Every licensee under this chapter shall graduate
297 customers to better interest rates and other terms based on
298 positive payment histories in a manner submitted by the licensee
299 and approved by the commissioner.

300 (12) Every licensee under this chapter shall offer and
301 encourage customers to participate in programs designed to enhance
302 financial literacy enhancement.

303 (13) If a money judgment is obtained against any party on
304 any credit enhancement loan made under the provisions of this
305 section, neither the judgment nor the credit enhancement loan
306 shall carry, from the date of the judgment, any interest in excess
307 of eight percent (8%) per annum.

308 (14) Every licensee under this chapter shall charge only
309 those fees and interest as authorized in this section and filed
310 with the commissioner.

311 (15) Every licensee under this chapter shall determine the
312 credit worthiness of a customer applying for a credit enhancement
313 loan based on industry accepted or proprietary credit models.

314 **SECTION 12.** (1) A licensee shall not make credit
315 enhancement loans in one (1) office to any customer who already
316 has an outstanding credit enhancement loan in another office
317 operated by the same entity or by another licensee that is an
318 affiliate, parent, subsidiary, or under the same ownership,
319 management, or control, whether partial or complete.

320 (2) A licensee shall take every reasonable precaution to
321 prevent granting credit enhancement loans in violation of
322 subsection (1) of this section.

323 (3) A licensee may service credit enhancement loans and
324 modify the terms of the loans within the limits authorized by
325 Section 13 of this act at any office operated by that licensee
326 regardless of where the credit enhancement loan was originated.

327 **SECTION 13.** (1) A licensee may not take an assignment of
328 earnings of the customer for payment or as security for payment of



329 a credit enhancement loan. An assignment of earnings in violation
330 of this section is unenforceable by the assignee of the earnings
331 and is revocable by the customer. However, nothing in this
332 section restricts a licensee and customer from entering into an
333 agreement whereby repayment of a credit enhancement loan can be
334 made through automatic payroll deduction, direct withdrawal from a
335 checking account or other automatic repayment plans.

336 (2) An agreement between a licensee and a customer pursuant
337 to a credit enhancement loan under this chapter pertaining to
338 default by the customer is enforceable only to the extent that the
339 customer fails to make a payment as required by the agreement.

340 (3) No licensee shall deny any credit enhancement loan or
341 discriminate in the fixing of the amount, duration, application
342 procedures, or other terms or conditions of any credit enhancement
343 loan or services because of the race, color, religion, national
344 origin, sex, or marital status of the applicant or any other
345 person connected with the transaction.

346 (4) With respect to a credit enhancement loan or services
347 made pursuant to the provisions of this chapter, the agreement
348 shall not provide for payment by the customer of attorney's fees.

349 (5) No licensee shall make any credit enhancement loan
350 within this state which shall in any way be secured by real
351 property.

352 (6) No licensee shall engage in any unfair method of
353 competition or unfair or deceptive trade practices in the conduct
354 of making or providing any credit enhancement loans or services to
355 customers pursuant to this chapter or in collecting or attempting
356 to collect any money alleged to be due and owing by a customer.

357 **SECTION 14.** (1) At the time a credit enhancement loan is
358 made available to a customer, the licensee shall deliver to the
359 customer or, if there are two (2) or more customers to such a
360 loan, a copy of a written statement, showing in clear and distinct
361 terms all of the following:



362 (a) The name and address of the licensee and one (1) of
363 the primary obligors on the credit enhancement loan;
364 (b) The date of the contract;
365 (c) A schedule or description of required payments;
366 (d) All applicable interest rates; and
367 (e) Any financial literacy materials available to the
368 customer.

369 (2) At each of its places of business in Mississippi, the
370 licensee shall make readily available to the customer, in a form
371 prescribed by the commissioner, a full and accurate schedule of
372 charges on all credit enhancement loans currently being made
373 available by the licensee.

374 (3) A copy of that schedule required by subsection (2) of
375 this section shall be filed in the office of the commissioner.

376 (4) No licensee shall require the customer to agree to or
377 execute any confession of judgment or power of attorney in favor
378 of any licensee or in favor of any third person, and any
379 confession of judgment or power of attorney taken in violation of
380 this subsection shall be absolutely void.

381 **SECTION 15.** No licensee subject to this chapter shall
382 advertise, display, distribute, telecast, or broadcast or cause or
383 permit to be advertised, displayed, distributed, telecast, or
384 broadcast in any manner whatsoever any false, misleading or
385 deceptive statement or representation with regard to the rates,
386 terms or conditions of credit enhancement loans. The commissioner
387 may require that charges or rates of charge, if stated by a
388 licensee, be stated fully and clearly in any manner that the
389 commissioner deems necessary to prevent misunderstanding by
390 prospective customers. The commissioner may permit or require
391 licensees to refer in their advertising to the fact that their
392 business is under state supervision, subject to any conditions
393 required by the commissioner to prevent an erroneous impression as
394 to the scope or degree of protection provided by this chapter.



395 **SECTION 16.** (1) Each licensee shall maintain all financial
396 books and records directly relating to any credit enhancement
397 loans made or provided under this chapter reasonably required by
398 the commissioner to be kept for two (2) years; and the
399 commissioner, the deputy commissioner or a duly authorized
400 examiner or agent or employee may examine those records at any
401 reasonable time to determine whether the licensee is complying
402 with this chapter and the rules issued to implement this chapter.
403 The required financial books and records may be maintained in any
404 form authorized by the commissioner. The financial books and
405 records of each licensed office shall be clearly segregated. When
406 a licensee maintains its financial books and records outside of
407 Mississippi, the licensee shall make them available for
408 examination at the place where they are maintained and shall pay
409 for all reasonable and necessary expenses incurred by the
410 commissioner in conducting any examination. Where the data
411 processing for any licensee is performed by a person other than
412 the licensee, the licensee shall provide to the commissioner a
413 copy of a binding agreement between the licensee and the data
414 processor which allows the commissioner, the deputy commissioner
415 or a duly authorized examiner or agent or employee to examine that
416 particular data processor's activities pertaining to the licensee
417 to the same extent as if the data processing services were being
418 performed by the licensee on its own premises; and, when billed by
419 the commissioner, the licensee shall reimburse the commissioner
420 for all costs and expenses incurred by the commissioner in an
421 examination under this subsection.

422 (2) Each licensee shall file annually with the commissioner
423 on or before March 31 for the twelve-month period ending the
424 preceding December 31 reports on forms prescribed by the
425 commissioner. These annual reports shall disclose in detail and
426 under appropriate headings any changes in the information
427 contained in the original license application and other



428 information necessary to show that the licensee continues to be in
429 compliance with this chapter. Reports shall be verified by the
430 oath or affirmation of the owner, manager, president, vice
431 president, cashier, secretary or treasurer of the licensee.

432 (3) If a licensee conducts another business or is affiliated
433 with other licensees under this chapter or if any other situation
434 exists under which allocations of expense are necessary, the
435 licensee or licensees shall make that allocation according to
436 appropriate and generally accepted accounting principles.

437 **SECTION 17.** The commissioner may issue all rules it deems
438 necessary in implementing this chapter and in providing for the
439 protection of the borrowing public and the efficient management of
440 licensees under this chapter and to give all necessary
441 instructions to these licensees for the purpose of interpreting
442 this chapter. All licensees under this chapter and their
443 officers, agents, and employees shall comply fully with all of the
444 rules and instructions. When issued, any rule shall be forwarded
445 by mail to each licensee at its licensed place of business at
446 least twenty (20) days prior to the rule's effective date.

447 **SECTION 18.** The commissioner may issue subpoenas and compel
448 attendance of witnesses, administer oaths, conduct hearings and
449 transcribe testimony in making the investigations and conducting
450 the hearings required by this chapter or in the other discharge of
451 his or her duties and give any publicity to his or her
452 investigations and findings as he or she may deem best for the
453 public interest.

454 **SECTION 19.** When the commissioner has reasonable cause,
455 supported by written evidence, to believe that any person is
456 violating or is threatening to violate any provision of this
457 chapter, the commissioner may in addition to all actions provided
458 for in this chapter and without prejudice to those other actions
459 enter an order requiring a person to desist or to refrain from a
460 violation; and an action may be brought in the name of the



461 commissioner to enjoin the person from engaging in or continuing
462 the violation or from doing any act or acts in furtherance of the
463 violation. In any action to desist, an order or judgment may be
464 entered awarding any preliminary or final injunction as may be
465 deemed proper. In addition to all other means provided by law for
466 the enforcement of a restraining order or injunction, the court in
467 which the action is brought may impound and appoint a receiver for
468 the property and business of the defendant, including any books,
469 papers, documents and records that the court deems reasonably
470 necessary to prevent violations of this chapter through or by
471 means of the use of that property and business. The receiver,
472 when appointed and qualified, shall have those powers and duties
473 pertaining to custody, collection, administration, winding up and
474 liquidation of the property and business as shall from time to
475 time be conferred upon him or her by the court.

476 **SECTION 20.** Any person aggrieved by any rule, order or act
477 of the department may appeal to the commissioner for review upon
478 giving notice in writing within sixty (60) days after such rule,
479 order or act is adopted, issued or done. Any aggrieved party to a
480 decision of the department shall be entitled to an appeal pursuant
481 to the Administrative Procedures Act.

482 **SECTION 21.** No credit enhancement loan made after July 1,
483 2010, that is made outside this state in the amount of or the
484 value of Three Thousand Dollars (\$3,000.00) or less for which
485 greater consideration or charges than are authorized by this
486 chapter have been charged, contracted for, or received shall be
487 enforced in this state. This prohibition shall not apply to
488 credit enhancement loans in which contractual activities,
489 including solicitation, discussion, negotiation, offer,
490 acceptance, signing of documents or delivery and receipt of funds
491 occur entirely outside this state.

492 **SECTION 22.** This act shall be codified as a new Chapter 2 in
493 Title 81, Mississippi Code of 1972.



494 **SECTION 23.** This act shall take effect and be in force from
495 and after July 1, 2010.

