

By: Representatives Wilson, Sykes

To: Revenue and Expenditure
General Bills

HOUSE BILL NO. 50

1 AN ACT TO AMEND SECTION 75-85-3, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE EXEMPTION FOR SALES OF GOODS, WARES, SERVICES OR
3 MERCHANDISE BY SAMPLE, CATALOGUE OR BROCHURE FOR FUTURE DELIVERY
4 FROM THE REQUIREMENT FOR LICENSURE AS A TRANSIENT VENDOR; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 75-85-3, Mississippi Code of 1972, is
8 amended as follows:

9 75-85-3. (1) The provisions of this chapter shall not apply
10 to:

11 (a) Civic and nonprofit organizations or wholesale
12 sales to retail merchants by commercial travelers;

13 (b) Wholesale trade shows or conventions;

14 * * *

15 (* * *c) Fairs and convention center activities
16 conducted primarily for amusement or entertainment;

17 (* * *d) Any general sale, fair, circus, auction or
18 bazaar sponsored by a church or religious organization;



19 (* * *e) Garage sales held on premises devoted to
20 residential use;

21 (* * *f) Sales or repairs of crafts or sales or
22 repairs of items made by hand by the person making the crafts or
23 items;

24 (* * *g) Duly licensed flea markets operating from a
25 fixed location;

26 (* * *h) Sales of agricultural, dairy, poultry,
27 seafood or forest management products or services related to
28 forest management or silvicultural activities, nursery products,
29 foliage plants or ornamental trees, except such products or
30 services sold at retail and not grown or produced within
31 Mississippi;

32 (* * *i) Sales of agricultural services.

33 (2) A transient vendor not otherwise exempted from this
34 chapter is not exempted from this chapter because of a temporary
35 association with a local dealer, auctioneer, trader, contractor or
36 merchant, or by conducting the transient business in connection
37 with or in the name of any local dealer, auctioneer, trader,
38 contractor or merchant.

39 **SECTION 2.** This act shall take effect and be in force from
40 and after July 1, 2017.

