

By: Representatives Turner, Aguirre, Brown
(20th)

To: Banking and Financial
Services

HOUSE BILL NO. 1361
(As Passed the House)

1 AN ACT TO CREATE A NEW SECTION OF LAW IN THE MOTOR VEHICLE
2 SALES FINANCE LAW TO CLARIFY THAT EMPLOYEES OF A STATE LICENSEE
3 MAY WORK FROM HOME OR OTHER REMOTE LOCATION SUBJECT TO CERTAIN
4 CONDITIONS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** (1) Notwithstanding any other law to the
7 contrary, nothing in this chapter shall be interpreted to
8 interfere with employees of a state licensee under this chapter
9 working from home or another remote location selected by the
10 employee, provide the licensee:

11 (a) Ensures all in-person customer interactions will
12 not be conducted at home or other remote location, and will not
13 designate the home or other remote location to consumers or
14 customers as a business location;

15 (b) Maintains appropriate safeguards for licensee and
16 consumer data, information and records, including the use of
17 secure virtual private networks where appropriate;



18 (c) Employs appropriate risk-based monitoring and
19 oversight processes of work performed from home or other remote
20 location, and maintains records of the same;

21 (d) Ensures consumer information and records are not
22 maintained at home or other remote location;

23 (e) Ensures consumer and licensee information and
24 records remain accessible and available for regulatory oversight
25 and exams; and

26 (f) Provides appropriate employee training to keep all
27 conversations about, and with, consumers conducted from home or
28 other remote location confidential, as if conducted from a
29 commercial location, and to ensure remote employees work in an
30 environment conducive and appropriate to that privacy.

31 (2) When any special examination is conducted and so
32 denominated by the commissioner, he or she shall charge the
33 licensee so examined the cost based on the average daily cost of
34 all examiners of the department plus actual and necessary
35 expenses. The fee shall be deposited by the commissioner into the
36 Department of Banking and Consumer Finance's Maintenance Fund and
37 may be expended for any purpose authorized for that fund.

38 **SECTION 2.** Section 1 of this act shall be codified in
39 Chapter 19, Title 63, Mississippi Code of 1972.

40 **SECTION 3.** This act shall take effect and be in force from
41 and after its passage.

