

By: Senator(s) Thompson, England, Suber, McCaughn

To: Judiciary, Division B

SENATE BILL NO. 2545

1 AN ACT TO CODIFY SECTION 97-17-71.3, MISSISSIPPI CODE OF
2 1972, TO PROVIDE REQUIREMENTS FOR THE PURCHASE, POSSESSION AND
3 SALE OF CERTAIN CATALYTIC CONVERTERS NOT ATTACHED TO A MOTOR
4 VEHICLE; TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION OF THESE
5 REQUIREMENTS; TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972,
6 IN CONFORMITY; TO AMEND SECTION 97-17-71.1, MISSISSIPPI CODE OF
7 1972, TO REQUIRE ANY DETACHED CATALYTIC CONVERTER TO BE REGISTERED
8 WITH THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** The following shall be codified as Section
11 97-17-71.3, Mississippi Code of 1972:

12 97-17-71.3. (1) It is unlawful for any person to sell,
13 transfer, purchase, enter into any cash transactions for, or
14 otherwise acquire, a used, detached catalytic converter, or any
15 nonferrous part thereof, unless all of the following apply:

16 (a) The person is registered as a secondary metals
17 recycler under Section 97-17-71;

18 (b) The sale, transfer, purchase or acquisition occurs
19 at the fixed business address of a secondary metals recycler that
20 is a party to the transaction. For purposes of this subsection,
21 the fixed business address of the secondary metals recycler is the



22 address of the business that is registered pursuant to Section
23 97-17-71;

24 (c) The person has maintained all of the information
25 required under Section 97-17-71;

26 (d) One or more of the following apply:

27 (i) The used, detached catalytic converter or
28 nonferrous part thereof was obtained by the seller thereof as part
29 of a vehicle;

30 (ii) The catalytic converter or nonferrous part
31 thereof was purchased from a secondary metals recycler, new or
32 used motor vehicle dealer, automotive repair service, motor
33 vehicle manufacturer, vehicle demolisher, or distributor of
34 catalytic converters, and a copy of the seller's valid business
35 license is received and maintained by the person at the time of
36 the transaction; or

37 (iii) The seller of the catalytic converter or
38 nonferrous part thereof provides the purchaser with all of the
39 following information for the motor vehicle from which the
40 catalytic converter or part thereof was taken:

41 1. The name of the person who removed the
42 catalytic converter;

43 2. The name of the person for whom the
44 removal was completed;

45 3. The make and model of the vehicle from
46 which the catalytic converter was removed;



47 4. The vehicle identification number of the
48 vehicle from which the catalytic converter was removed;

49 5. The part number or other identifying
50 number of the catalytic converter that was removed;

51 6. A copy of the driver's license or
52 nondriver identification card of the seller of the catalytic
53 converter; and

54 7. A copy of the certificate of title or
55 certificate of registration showing the seller's ownership
56 interest in the vehicle;

57 (e) Before each purchase or acquisition of a used,
58 detached catalytic converter or part thereof, the secondary metals
59 recycler, including an agent, employee, or representative thereof,
60 shall do both of the following:

61 (i) Verify, with the applicable documentation,
62 that the person transferring or selling the used, detached
63 catalytic converter acquired it legally and has the right to
64 transfer it or sell it; and

65 (ii) Retain a record of the applicable
66 verification and other information required under Section
67 97-17-71, and note in the business records of the secondary metals
68 recycler any obvious markings on the used, detached catalytic
69 converter, such as paint, labels or engravings, that would aid in
70 the identification of the catalytic converter.



71 (2) It is unlawful for a seller of a used, detached
72 catalytic converter, or any nonferrous part of a catalytic
73 converter, to provide any false, fraudulent, altered or
74 counterfeit information or documentation as required by this
75 section.

76 (3) Each catalytic converter that is purchased, possessed,
77 obtained, sold, transported or otherwise acquired in violation of
78 this section is a separate violation of this section.

79 (4) A person who violates this section is guilty of a
80 misdemeanor or a felony for subsequent violations as specifically
81 prescribed under Sections 97-17-71 and 97-17-71.1, Mississippi
82 Code of 1972.

83 (5) For purposes of this section, a used, detached catalytic
84 converter does not include a catalytic converter that has been
85 tested, certified and labeled for reuse in accordance with
86 applicable U.S. Environmental Protection Agency Clean Air Act
87 regulations.

88 **SECTION 2.** Section 97-17-71, Mississippi Code of 1972, is
89 amended as follows:

90 97-17-71. (1) For the purposes of this section, the
91 following terms shall have the meanings ascribed in this section:

92 (a) "Railroad materials" means any materials, equipment
93 and parts used in the construction, operation, protection and
94 maintenance of a railroad.



95 (b) "Copper materials" means any copper wire, bars,
96 rods or tubing, including copper wire or cable or coaxial cable of
97 the type used by public utilities, common carriers or
98 communication services providers, whether wireless or wire line,
99 copper air conditioner evaporator coil or condenser, aluminum
100 copper radiators not attached to a motor vehicle, or any
101 combination of these.

102 (c) "Aluminum materials" means any aluminum cable,
103 bars, rods or tubing of the type used to construct utility,
104 communication or broadcasting towers, aluminum utility wire and
105 aluminum irrigation pipes or tubing. "Aluminum materials" does
106 not include aluminum cans that have served their original economic
107 purpose.

108 (d) "Law enforcement officer" means any person
109 appointed or employed full time by the state or any political
110 subdivision thereof, or by the state military department as
111 provided in Section 33-1-33, who is duly sworn and vested with
112 authority to bear arms and make arrests, and whose primary
113 responsibility is the prevention and detection of crime, the
114 apprehension of criminals and the enforcement of the criminal
115 traffic laws of this state or the ordinances of any political
116 subdivision thereof.

117 (e) "Metal property" means materials as defined in this
118 section as railroad track materials, copper materials and aluminum
119 materials and electrical, communications or utility brass, metal



120 covers for service access and entrances to sewers and storm
121 drains, metal bridge pilings, irrigation wiring and other metal
122 property attached to or part of center pivots, grain bins,
123 stainless steel sinks, catalytic converters not attached to a
124 motor vehicle as specifically provided in Section 97-17-71.3 and
125 metal beer kegs. Metal property does not include ferrous
126 materials not listed in this section.

127 (f) "Person" means an individual, partnership,
128 corporation, joint venture, trust, limited liability company,
129 association or any other legal or commercial entity.

130 (g) "Personal identification card" means any government
131 issued photographic identification card including a valid
132 identification card issued by a federally recognized Indian tribe
133 that contains a color photograph of the card holder and the card
134 holder's legal name, residence address and date of birth.

135 (h) "Photograph" or "photographically" means a still
136 photographic image, including images captured in digital format,
137 that are of such quality that the persons and objects depicted are
138 clearly identifiable.

139 (i) "Purchase transaction" means a transaction in which
140 a person gives consideration in exchange for metal property.

141 (j) "Purchaser" means a person who gives consideration
142 in exchange for metal property.

143 (k) "Record" or "records" means a paper, electronic or
144 other method of storing information.



145 (1) "Scrap metal dealer" means any person who is
146 engaged, from a fixed location or otherwise, in the business of
147 paying compensation for metal property that has served its
148 original economic purpose, whether or not the person is engaged in
149 the business of performing the manufacturing process by which
150 metals are converted into raw material products consisting of
151 prepared grades and having an existing or potential economic
152 value.

153 (2) Every scrap metal dealer or other purchaser shall keep
154 an accurate and legible record in which he shall enter the
155 following information for each purchase transaction:

156 (a) The name, address and age of the person from whom
157 the metal property is purchased as obtained from the seller's
158 personal identification card;

159 (b) The date and place of each acquisition of the metal
160 property;

161 (c) The weight, quantity or volume and a general
162 physical description of the type of metal property, such as wire,
163 tubing, extrusions or casting, purchased in a purchase
164 transaction;

165 (d) The amount of consideration given in a purchase
166 transaction for the metal property;

167 (e) The vehicle license tag number, state of issue and
168 the make and type of the vehicle used to deliver the metal
169 property to the purchaser;



170 (f) If a person other than the seller delivers the
171 metal property to the purchaser, the name, address and age of the
172 person who delivers the metal property;

173 (g) A signed statement from the person receiving
174 consideration in the purchase transaction stating that he is the
175 rightful owner of the metal property or is entitled to sell the
176 metal property being sold;

177 (h) (i) A scanned copy or a photocopy of the personal
178 identification card of the person receiving consideration in the
179 purchase transaction; or

180 (ii) If a person other than the seller delivers
181 the metal property to the purchaser, a scanned copy or a photocopy
182 of the personal identification card of the person delivering the
183 metal property to the purchaser; and

184 (i) A photograph, videotape or similar likeness of the
185 person receiving consideration or any person other than the seller
186 who delivers the metal property to the purchaser in which the
187 person's facial features are clearly visible and in which the
188 metal property the person is selling or delivering is clearly
189 visible.

190 Such records shall be maintained by the scrap metal dealer or
191 purchaser for not less than two (2) years from the date of the
192 purchase transaction, and such records shall be made available to
193 any law enforcement officer during usual and customary business
194 hours.



195 (3) The purchaser of metal property must hold the metal
196 property separate and identifiable from other purchases for not
197 less than three (3) business days from the date of purchase. The
198 purchaser shall also photographically capture the metal property
199 in the same form, without change, in which the metal property was
200 acquired, and maintain the photograph for a period of not less
201 than two (2) years. The time and date shall be digitally recorded
202 on the photograph, and the identity of the person taking the
203 photograph shall be recorded. The purchaser shall permit any law
204 enforcement officer to make an inspection of the metal property
205 during the holding period, and of all photographs of the metal
206 property. Any photograph of metal property taken and maintained
207 pursuant to this subsection shall be admissible in any civil or
208 criminal proceeding.

209 (4) During the usual and customary business hours of a scrap
210 metal dealer or other purchaser, a law enforcement officer, after
211 proper identification as a law enforcement officer, shall have the
212 right to inspect all purchased metal property in the possession of
213 the scrap metal dealer or purchaser.

214 (5) (a) Whenever a law enforcement officer has reasonable
215 cause to believe that any item of metal property in the possession
216 of a scrap metal dealer or other purchaser has been stolen, a law
217 enforcement officer who has an affidavit from the alleged rightful
218 owner of the property identifying the property with specificity,
219 including any identifying markings, may issue and deliver a



220 written hold notice to the scrap metal dealer or other purchaser.
221 The hold notice shall specifically identify those items of metal
222 property that are believed to have been stolen and that are
223 subject to the hold notice. Upon receipt of the notice, the scrap
224 metal dealer or other purchaser may not process or remove the
225 metal property identified in the notice from the place of business
226 of the scrap metal dealer or purchaser for fifteen (15) calendar
227 days after receipt of the notice, unless sooner released by a law
228 enforcement officer.

229 (b) No later than the expiration of the fifteen-day
230 period, a law enforcement officer, after receiving additional
231 substantive evidence beyond the initial affidavit, may issue and
232 deliver a second written hold notice, which shall be an extended
233 hold notice. The extended hold notice shall specifically identify
234 those items of metal property that are believed to have been
235 stolen and that are subject to the extended hold notice. Upon
236 receipt of the extended hold notice, the scrap metal dealer or
237 purchaser may not process or remove the items of metal property
238 identified in the notice from the place of business of the scrap
239 metal dealer or purchaser for fifteen (15) calendar days after
240 receipt of the extended hold notice, unless sooner released by a
241 law enforcement officer.

242 (c) At the expiration of the hold period or, if
243 extended in accordance with this subsection, at the expiration of
244 the extended hold period, the hold is automatically released, then



245 the scrap metal dealer or purchaser may dispose of the metal
246 property unless other disposition has been ordered by a court of
247 competent jurisdiction.

248 (d) If the scrap metal dealer or other purchaser
249 contests the identification or ownership of the metal property,
250 the party other than the scrap metal dealer or other purchaser
251 claiming ownership of any metal property in the possession of a
252 scrap metal dealer or other purchaser, provided that a timely
253 report of the theft of the metal property was made to the proper
254 authorities, may bring a civil action in the circuit court of the
255 county in which the scrap metal dealer or purchaser is located.
256 The petition for the action shall include the means of
257 identification of the metal property utilized by the petitioner to
258 determine ownership of the metal property in the possession of the
259 scrap metal dealer or other purchaser.

260 (e) When a lawful owner recovers stolen metal property
261 from a scrap metal dealer or other purchaser who has complied with
262 this section, and the person who sold the metal property to the
263 scrap metal dealer or other purchaser is convicted of a violation
264 of this section, or theft by receiving stolen property under
265 Section 97-17-70, the court shall order the convicted person to
266 make full restitution to the scrap metal dealer or other
267 purchaser, including, without limitation, attorney's fees, court
268 costs and other expenses.



269 (6) This section shall not apply to purchases of metal
270 property from any of the following:

271 (a) A law enforcement officer acting in an official
272 capacity;

273 (b) A trustee in bankruptcy, executor, administrator or
274 receiver who has presented proof of such status to the scrap metal
275 dealer;

276 (c) Any public official acting under a court order who
277 has presented proof of such status to the scrap metal dealer;

278 (d) A sale on the execution, or by virtue of any
279 process issued by a court, if proof thereof has been presented to
280 the scrap metal dealer; or

281 (e) A manufacturing, industrial or other commercial
282 vendor that generates or sells regulated metal property in the
283 ordinary course of its business.

284 (7) It shall be unlawful for any person to give a false
285 statement of ownership or to give a false or altered
286 identification or vehicle tag number and receive money or other
287 consideration from a scrap metal dealer or other purchaser in
288 return for metal property.

289 (8) A scrap metal dealer or other purchaser shall not enter
290 into any cash transactions in payment for the purchase of metal
291 property. Payment shall be made by check issued to the seller of
292 the metal, made payable to the name and address of the seller and
293 mailed to the recorded address of the seller, or by electronic



294 funds transfer. Payment shall not be made for a period of three
295 (3) days after the purchase transaction.

296 (9) If a person acquiring metal property fails to maintain
297 the records or to hold such materials for the period of time
298 prescribed by this section, such failure shall be prima facie
299 evidence that the person receiving the metal property received it
300 knowing it to be stolen in violation of Section 97-17-70.

301 (10) It shall be unlawful for any person to transport or
302 cause to be transported for himself or another from any point
303 within this state to any point outside this state any metal
304 property, unless the person or entity first reports to the sheriff
305 of the county from which he departs this state transporting such
306 materials the same information that a purchaser in this state
307 would be required to obtain and keep in a record as set forth in
308 subsection (2) of this section. In such a case the sheriff
309 receiving the report shall keep the information in records
310 maintained in his office as a public record available for
311 inspection by any person at all reasonable times. This section
312 shall not apply to a public utility, as that term is defined in
313 Section 77-3-3, engaged in carrying on utility operations; to a
314 railroad, as that term is defined in Section 77-9-5; to a
315 communications service provider, whether wireless or wire line; to
316 a scrap metal dealer; or to a person identified in subsection (6)
317 as being exempt from the provisions of this section.



318 (11) It shall be unlawful for a scrap metal dealer or other
319 purchaser to knowingly purchase or possess a metal beer keg, or a
320 metal syrup tank generally used by the soft drink industry,
321 whether damaged or undamaged, or any reasonably recognizable part
322 thereof, on any premises that the dealer uses to buy, sell, store,
323 shred, melt, cut or otherwise alter scrap metal. However, it
324 shall not be unlawful to purchase or possess a metal syrup tank
325 generally used by the soft drink industry if the scrap metal
326 dealer or other purchaser obtains a bill of sale at the time of
327 purchase from a seller if the seller is a manufacturer of such
328 tanks, a soft drink company or a soft drink distributor.

329 (12) It shall be unlawful to sell to a scrap metal dealer
330 any bronze vase and/or marker, memorial, statue, plaque, or other
331 bronze object used at a cemetery or other location where deceased
332 persons are interred or memorialized, or for any such dealer to
333 purchase those objects, unless the source of the bronze is known
334 and notice is provided to the municipal or county law enforcement
335 agency where the dealer is located. The notice shall identify all
336 names, letters, dates and symbols on the bronze and a photograph
337 of the bronze shall be attached thereto. Written permission from
338 the cemetery and the appropriate law enforcement agency must be
339 received before any type of bronze described in this subsection
340 may be purchased, processed, sold or melted.

341 (13) It shall be unlawful for any scrap metal dealer to
342 purchase any manhole cover and other similar types of utility



343 access covers, including storm drain covers, or any metal property
344 clearly identified as belonging to a political subdivision of the
345 state or a municipality, unless that metal property is purchased
346 from the political subdivision, the municipal utility or the
347 manufacturer of the metal. Any purchaser who purchases metal
348 property in bulk shall be allowed twenty-four (24) hours to
349 determine if any metal property prohibited by this subsection is
350 included in a bulk purchase. If such prohibited metal property is
351 included in a bulk purchase, the purchaser shall notify law
352 enforcement no later than twenty-four (24) hours after the
353 purchase.

354 (14) It shall be unlawful for a scrap metal dealer or other
355 purchaser to purchase metal property from a person younger than
356 eighteen (18) years of age.

357 (15) Metal property may not be purchased, acquired or
358 collected between the hours of 9:00 p.m. and 6:00 a.m.

359 (16) Except as provided in this subsection, any person
360 willfully or knowingly violating the provisions of this section
361 shall, upon conviction thereof, be deemed guilty of a misdemeanor,
362 and shall be punished by a fine not to exceed One Thousand Dollars
363 (\$1,000.00) per offense, unless the purchase transaction or
364 transactions related to the violation, in addition to any costs
365 which are, or would be, incurred in repairing or in the attempt to
366 recover any property damaged in the theft of or removal of the
367 metal property, are in aggregate an amount which exceeds One



368 Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars
369 (\$5,000.00), in which case the person shall be guilty of a felony
370 and shall be imprisoned in the custody of the Department of
371 Corrections for a term not to exceed five (5) years, fined not
372 more than Ten Thousand Dollars (\$10,000.00), or both. Any person
373 found guilty of stealing metal property or receiving metal
374 property, knowing it to be stolen in violation of Section
375 97-17-70, shall be ordered to make full restitution to the victim,
376 including, without limitation, restitution for property damage
377 that resulted from the theft of the property.

378 (17) If the purchase transaction or transactions related to
379 the violation, in addition to any costs which are, or would be,
380 incurred in repairing or in the attempt to recover any property
381 damaged in the theft of or removal of the metal property, are in
382 aggregate an amount which exceeds Five Thousand Dollars
383 (\$5,000.00) but less than Twenty-five Thousand Dollars
384 (\$25,000.00), the person shall be guilty of a felony and shall be
385 imprisoned in the custody of the Department of Corrections for a
386 term not to exceed ten (10) years, fined not more than Ten
387 Thousand Dollars (\$10,000.00), or both.

388 (18) If the purchase transaction or transactions related to
389 the violation, in addition to any costs which are, or would be,
390 incurred in repairing or in the attempt to recover any property
391 damaged in the theft of or removal of the metal property, are in
392 aggregate an amount which exceeds Twenty-five Thousand Dollars



393 (\$25,000.00), the person shall be guilty of a felony and shall be
394 imprisoned in the custody of the Department of Corrections for a
395 term not to exceed twenty (20) years, fined not more than Ten
396 Thousand Dollars (\$10,000.00), or both.

397 (19) This section shall not be construed to repeal other
398 criminal laws. Whenever conduct proscribed by any provision of
399 this section is also proscribed by any other provision of law, the
400 provision which carries the more serious penalty shall be applied.

401 (20) This section shall apply to all businesses regulated
402 under this section without regard to the location within the State
403 of Mississippi.

404 (21) This section shall not be construed to prohibit
405 municipalities and counties from enacting and implementing
406 ordinances, rules and regulations that impose stricter
407 requirements relating to purchase transactions.

408 (22) This section shall be fully applicable to the
409 requirements for the purchase, possession and sale of detached
410 catalytic converters provided in Section 97-17-71.3, Mississippi
411 Code of 1972.

412 **SECTION 3.** Section 97-17-71.1, Mississippi Code of 1972, is
413 amended as follows:

414 97-17-71.1. (1) (a) From and after August 7, 2008, it
415 shall be unlawful for any scrap metal dealer or any person who
416 purchases scrap metal or detached catalytic converters, deals in
417 scrap metal or detached catalytic converters, or otherwise engages



418 in the scrap metal or detached catalytic converter business to
419 fail to register with the Secretary of State. All registrations
420 under this section shall expire two (2) years from the date of the
421 registration or the renewal thereof.

422 (b) The Secretary of State may promulgate and adopt
423 such rules and regulations as are reasonably necessary to carry
424 out the provisions of this section and establish such registration
425 and renewal fees as are adequate to cover the administrative costs
426 associated with the registration program.

427 (c) The Secretary of State may deny, suspend, revoke or
428 refuse to renew any registration following notice to the applicant
429 or registrant in accordance with the promulgated rules and an
430 opportunity for a hearing for any failure to comply with this
431 section, or for other good cause.

432 (2) A violation of this section is a misdemeanor punishable
433 by a fine of not less than Five Hundred Dollars (\$500.00) but not
434 to exceed One Thousand Dollars (\$1,000.00) for the first offense.
435 Any person who shall be guilty of any subsequent violations of
436 this section requiring registration shall be guilty of a felony
437 offense and shall be imprisoned in the custody of the Department
438 of Corrections for a term not to exceed three (3) years, fined not
439 more than Five Thousand Dollars (\$5,000.00), or both.

440 (3) (a) To register or renew registration, the registrant
441 must declare, under penalty of perjury, whether such registrant
442 has ever been convicted of a violation of Section 97-17-71 or



443 convicted of a criminal offense of larceny, burglary or vandalism,
444 where the offense involved metal property as defined in Section
445 97-17-71.

446 (b) (i) An applicant who has been convicted of a
447 violation of Section 97-17-71, or who has a conviction for a
448 criminal offense of larceny, burglary or vandalism where such
449 offense involved metal property, shall be prohibited from
450 registering under this section for five (5) years from the date of
451 conviction.

452 (ii) Any false statement submitted to the
453 Secretary of State for the purpose of unlawfully registering under
454 this section shall be punished as perjury in the manner provided
455 in Section 97-9-61, and a person so convicted shall be
456 disqualified for life from registering as a scrap metal dealer
457 under this section.

458 (4) The Secretary of State shall immediately report any
459 suspected criminal violation accompanied by all relevant records
460 to the Office of Attorney General and the appropriate district
461 attorney for further proceedings.

462 (5) The Secretary of State shall have the authority to:

463 (a) Conduct and carry out criminal background history
464 verification of the information provided by the applicant or
465 registrant and to require the submission of information and forms
466 from the applicant or registrant in order to accomplish the
467 registration duties imposed by this section;



468 (b) Issue a cease and desist order, with a prior
469 hearing, against the scrap metal or detached catalytic converter
470 dealer or other purchaser alleged to be in violation of this
471 section, directing the person or persons to cease and desist from
472 further illegal activity;

473 (c) (i) Issue an order against any scrap metal or
474 detached catalytic converter dealer or other purchaser for any
475 violation of this section, imposing an administrative penalty up
476 to a maximum of One Thousand Dollars (\$1,000.00) for each offense.
477 Each violation shall be considered a separate offense in a single
478 proceeding or a series of related proceedings. Any administrative
479 penalty, plus reimbursement for all costs and expenses incurred in
480 the investigation of the violation and any administrative
481 proceedings, shall be paid to the Secretary of State;

482 (ii) For the purpose of determining the amount or
483 extent of a sanction, if any, to be imposed under paragraph (c)(i)
484 of this subsection, the Secretary of State shall consider, among
485 other factors, the frequency, persistence and willfulness of the
486 conduct constituting a violation of this section or any rule or
487 order hereunder; the number of persons adversely affected by the
488 conduct; and the resources of the person committing the violation;

489 (d) Bring an action in chancery court to enjoin the
490 acts or practices complained of to enforce compliance with this
491 section or any rule promulgated or order entered hereunder. Upon
492 a proper showing, a permanent or temporary injunction, restraining



493 order, or writ of mandamus shall be granted and a receiver or
494 conservator may be appointed for the defendant or the defendant's
495 assets. In addition, upon a proper showing by the Secretary of
496 State, the court may enter an order of rescission or restitution
497 directed to any person who has engaged in any act constituting a
498 violation of any provision of this section or any rule or order
499 hereunder, or the court may impose a civil penalty up to a maximum
500 of One Thousand Dollars (\$1,000.00) for each offense, provided
501 that each violation shall be considered as a separate offense in a
502 single proceeding or a series of related proceedings. The court
503 may not require the Secretary of State to post a bond.

504 (6) Any person aggrieved by a final order of the Secretary
505 of State may obtain a review of the order in the Chancery Court of
506 the First Judicial District of Hinds County, Mississippi, by
507 filing in the court, within thirty (30) days after the entry of
508 the order, a written petition praying that the order be modified
509 or set aside, in whole or in part. A copy of the petition shall
510 be forthwith served upon the Secretary of State and thereupon the
511 Secretary of State shall certify and file in court a copy of the
512 filing and evidence upon which the order was entered. When these
513 have been filed, the court has exclusive jurisdiction to affirm,
514 modify, enforce or set aside the order, in whole or in part.

515 **SECTION 4.** This act shall take effect and be in force from
516 and after July 1, 2022.

