House Amendments to Senate Bill No. 2371

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

- 1 **AMEND** by inserting the following new section after line 332
- 2 and renumbering the succeeding sections:
- 3 " SECTION 10. (1) The Office of Workforce Development shall
- 4 establish and administer the Mississippi Allied Health College and
- 5 Career Navigator Grant Program for the purpose of hiring
- 6 professionals, or navigators, to provide individual assistance and
- 7 quidance to students to assist them in many areas, from
- 8 maneuvering challenges while enrolled in college programs and
- 9 understanding the job market to working through course challenges,
- 10 and to help retain and graduate nursing and allied health
- 11 students, at community and junior colleges. Such navigators must
- 12 be at least a registered nurse with at least two (2) years of
- 13 experience in nursing. The grant program shall be funded from
- 14 monies appropriated by the Legislature for that purpose.
- 15 (2) The Office of Workforce Development shall prescribe the
- 16 terms and conditions of the grant program. To be eligible to
- 17 receive a grant from the Office of Workforce Development under the
- 18 grant program, a community college shall provide the following
- 19 information:
 - S. B. 2371

- 20 (a) The number of nursing or allied health students who
- 21 will be served by the program;
- 22 (b) A plan to provide data on participation and
- 23 outcomes of the program, including a plan to report outcomes to
- 24 the office throughout the funding commitment; and
- 25 (c) Any other information that the office determines is
- 26 necessary.
- 27 (3) The Office of Workforce Development may use a maximum of
- 28 five percent (5%) of funds appropriated for the program for the
- 29 administration of the program.
- 30 (4) The Office of Workforce Development shall submit an
- 31 annual report on the grant program to the Governor, the Lieutenant
- 32 Governor, the Speaker of the House of Representatives, the Chair
- 33 of the House Workforce Development Committee and the Chair of the
- 34 Senate Economic and Workforce Development Committee. The report
- 35 shall contain a detailed explanation of how many community or
- 36 junior colleges applied for the grants, how many navigator
- 37 positions were filled and whether the retention rate for allied
- 38 health workers has improved since implementing a navigator. The
- 39 community or junior college that received grants from the program
- 40 shall assist the office in completing the reporting requirement."
- 41 **AMEND further** by striking "9" on line 333 and inserting in
- 42 lieu thereof "10".

43 **AMEND** title to conform.

HR26\SB2371A.J

AMENDMENT NO. 2

- 1 AMEND by striking the effective date section and inserting in
- 2 lieu thereof the following:
- 3 "SECTION *. This act shall take effect and be in force from
- 4 and after July 1, 2023, and shall stand repealed on June 30,
- 5 2023".

HR26\SB2371A.3J

AMENDMENT NO. 3

- 1 **AMEND** by inserting the following new sections as Sections 11
- 2 through 15 immediately before the effective date section and
- 3 renumbering the succeeding section:
- 4 " SECTION 11. Sections 11 through 15 of this act shall be
- 5 known and cited as the "Paramedics Recruitment and Retention
- 6 Scholarship Grant Program Act."
- 7 **SECTION 12.** (1) The Legislature finds the following:
- 8 (a) The public health crisis related to COVID-19
- 9 resulted in a general disruption in the Mississippi economy and
- 10 workforce, particularly in the healthcare industry.

- 11 (b) COVID-19 and the closing of or reduction in
- 12 services at rural hospitals created an unprecedented demand on
- 13 emergency medical response providers.
- 14 (c) Consequently, the number of paramedics decreased in
- 15 the State of Mississippi by approximately nineteen percent (19%).
- 16 (d) The lack of paramedics directly impacts all
- 17 Mississippians ability to rely on quality emergency care.
- 18 (2) Therefore, the intent of the Legislature is:
- 19 (a) To provide funding to the Office of Workforce
- 20 Development to establish a grant program for the purposes outlined
- 21 herein.
- 22 (b) To provide funding for grants to cover the full
- 23 cost of tuition, fees, books and any required uniforms for
- 24 qualified applicants to attend an accredited paramedic program.
- 25 (c) To provide funding for grants to reimburse the cost
- of a qualified applicant's fee for the successful completion of
- 27 the National Registry Paramedic cognitive and psychomotor
- 28 examinations.
- 29 (d) To gauge the effectiveness of this program by
- 30 gathering data related to the participation and employment
- 31 outcomes in order to replicate successful efforts in future
- 32 workforce development programs.

33 **SECTION 13.** (1) There is established the Paramedics

34 Recruitment and Retention Scholarship Grant Program ("the

35 program"). The grant program shall be used by the Office of

36 Workforce Development, with the Mississippi Department of

37 Employment Security acting as the fiscal agent, for the purpose of

38 providing funding for grants to cover the full cost of tuition,

39 fees, books and any required uniforms for qualified applicants to

40 attend an accredited paramedic program and to reimburse the cost

41 of a qualified applicant's fee for the successful completion of

42 the National Registry Paramedic cognitive and psychomotor

43 examinations. The grant program shall be funded from monies

44 appropriated by the Legislature for that purpose.

- 45 (2) For the purposes of Sections 11 through 15 of this act,
- 46 a "paramedic" means a certified healthcare professional who

47 specializes in providing emergency medical treatment to people who

- 48 are injured or ill, typically in a setting outside of a hospital.
- 49 (3) The Office of Workforce Development shall prescribe the
- 50 terms and conditions of grants awarded under the program. To
- 51 qualify for a grant under this program, an applicant must:
- 52 (a) Be a certified Emergency Medical Technician (EMT);
- (b) Have the necessary requisites for an accredited
- 54 paramedic program;
- 55 (c) Commit to locate in the State of Mississippi for a
- 56 minimum of three (3) years; and

- 57 (d) Meet any other conditions for receipt as prescribed
- 58 by the Office of Workforce Development.
- 59 (4) The Office of Workforce Development may use a maximum of
- 60 five percent (5%) of funds appropriated for the program for the
- 61 administration of the program.
- 62 **SECTION 14.** The office shall enter into a grant contract
- 63 agreement with each recipient of a grant under the program that
- 64 incorporates the following obligations and conditions:
- 65 (a) The recipient of a grant shall commit to serving as
- 66 a paramedic for three (3) continuous years in the State of
- 67 Mississippi;
- (b) If any recipient of a grant under the program does
- 69 not engage in serving as a paramedic in accordance with the terms
- 70 of Sections 11 through 15 of this act, the recipient shall be
- 71 obligated to repay the grant amounts received, together with
- 72 interest thereon at the maximum rate allowed by Mississippi law or
- 73 the federal discount rate plus five percent (5%) per year,
- 74 whichever is less, the interest to accrue from the date that each
- 75 payment of funds was received by the recipient;
- 76 (c) No interest shall accrue and there shall be no
- 77 obligation to repay the principal sums accrued during any one (1)
- 78 period of time that the recipient involuntarily serves on active
- 79 duty in the United States Armed Forces; and

- 80 (d) Repayment of the principal with interest shall be 81 due and payable in full immediately on the occurrence of either of 82 the following events:
- (i) Failure to remain in the State of Mississippi
- 84 for three (3) continuous years for any reason other than temporary
- 85 personal illness; or
- 86 (ii) Failure to serve as a paramedic on a
- 87 regularly sustained basis as provided in the eligibility
- 88 requirements of Section 13 of this act.
- 89 **SECTION 15.** The Office of Workforce Development shall submit
- 90 an annual report on the grant program to the Governor, the
- 91 Lieutenant Governor, the Speaker of the House of Representatives,
- 92 the Chair of the House Workforce Development Committee and the
- 93 Chair of the Senate Economic and Workforce Development Committee.
- 94 The report shall contain a detailed explanation of how the funds
- 95 appropriated for the program were awarded and how many paramedics
- 96 have participated in the grant program and their employment
- 97 outcomes.
- 98 AMEND title to conform.

HR26\SB2371A.1J

AMENDMENT NO. 4

- 1 **AMEND** by inserting the following after line 1861 and
- 2 renumbering the succeeding sections:
- 3 " SECTION 8. The following shall be codified as Section
- 4 25-61-11.1, Mississippi Code of 1972:
- 5 25-61-11.1. Sections 8 through 17 of this act shall be known
- 6 and may be cited as the "Mississippi Consumer Privacy Act for
- 7 State Agencies".
- 8 **SECTION 9.** The following shall be codified as Section
- 9 25-61-11.3, Mississippi Code of 1972:
- 10 25-61-11.3. (1) Any records that include the address,
- 11 telephone number, electronic mail address, date of birth, or
- 12 social security number of any professional or occupational
- 13 licensee, and are held by a state agency that licenses professions
- 14 or occupations, shall not be deemed public records as provided in
- 15 Section 25-61-3, unless the licensee has consented to the release
- 16 of such records.
- 17 (2) The provisions of this section shall not prohibit the
- 18 agency from posting information on an Internet site that the
- 19 agency deems necessary to inform consumers of disciplinary
- 20 proceedings filed against the licensee.
- 21 **SECTION 10.** The following shall be codified as Section
- 22 25-61-11.4, Mississippi Code of 1972:

- 23 25-61-11.4. For purposes of Sections 8 through 17 of this
- 24 act, the following terms have the meanings as defined in this
- 25 section, unless the context clearly indicates otherwise:
- 26 (a) "Agency" includes any agency or political
- 27 subdivision of this state, or an authorized agent or contractor of
- 28 an agency or political subdivision of this state, that compiles or
- 29 maintains motor vehicle records.
- 30 (b) "Authorized recipient" means a person who is
- 31 permitted to receive and use personal information from an agency
- 32 in a manner authorized by this chapter.
- 33 (c) "Disclose" means to make available or make known
- 34 personal information contained in a motor vehicle record about a
- 35 person to another person, by any means of communication.
- 36 (d) "Individual record" means a motor vehicle record
- 37 obtained by an agency containing personal information about an
- 38 individual who is the subject of the record as identified in a
- 39 request.
- 40 (e) "Motor vehicle record" means a record that pertains
- 41 to a motor vehicle operator's or driver's license or permit, motor
- 42 vehicle traffic citations, motor vehicle registration, motor
- 43 vehicle title, or identification document issued by an agency of
- 44 this state or a local agency authorized to issue an identification
- 45 document. The term "motor vehicle record" does not include:
- 46 (i) A record that pertains to a motor carrier; or

- 47 (ii) An accident report prepared in accordance
- 48 with law.
- 49 (f) "Person" means an individual, organization, or
- 50 entity, but does not include this state or an agency of this
- 51 state.
- 52 (g) "Personal information" means information that
- 53 identifies a person, including a person's photograph or
- 54 computerized image, social security number, date of birth, driver
- 55 identification number, name, address, email address, telephone
- 56 number, or medical or disability information. The term "personal
- 57 information" does not include information on vehicle accidents,
- 58 driving or equipment-related violations, or driver's license or
- 59 registration status, or information contained in an accident
- 60 report prepared under law.
- (h) "Record" means any book, paper, photograph,
- 62 photostat, card, film, tape, recording, electronic data, printout,
- 63 or other documentary material regardless of physical form or
- 64 characteristics.
- 65 **SECTION 11.** The following shall be codified as Section
- 66 25-61-11.5, Mississippi Code of 1972:
- 67 25-61-11.5. An agency shall not knowingly disclose personal
- 68 information about any person obtained by the agency in connection
- 69 with a motor vehicle record, except as provided by Sections 8
- 70 through 17 of this act. An agency that maintains motor vehicle

- 71 records that contain personal information is authorized to adopt
- 72 rules and regulations necessary to carry out the purposes of this
- 73 act.
- 74 **SECTION 12.** The following shall be codified as Section
- 75 25-61-11.6, Mississippi Code of 1972:
- 76 25-61-11.6. (1) Personal information obtained by an agency
- 77 in connection with a motor vehicle record shall be disclosed for
- 78 use in connection with any matter of:
- 79 (a) Motor vehicle or motor vehicle operator safety;
- 80 (b) Motor vehicle theft;
- 81 (c) Motor vehicle product alterations, recalls, or
- 82 advisories;
- 83 (d) Performance monitoring of motor vehicles or motor
- 84 vehicle dealers by a motor vehicle manufacturer;
- 85 (e) Removal of nonowner records from the original owner
- 86 records of a motor vehicle manufacturer to carry out the purposes
- 87 of:
- 88 (i) The Automobile Information Disclosure Act, 15
- 89 USC Section 1231 et seq.;
- 90 (ii) 49 USC Chapters 301, 305, 323, 325, 327, 329,
- 91 and 331;
- 92 (iii) The Anti Car Theft Act of 1992, 18 USC
- 93 Sections 553, 981, 982, 2119, 2312, 2313, and 2322, 19 USC s. B. 2371
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- 94 Sections 164Gb and 1646c, and 42 USC Section 3 75 Oa et seq., all
- 95 as amended;
- 96 (iv) The Clean Air Act, 42 USC Section 7401 et
- 97 seq., as amended; and
- 98 (v) Any other statute or regulation enacted or
- 99 adopted under, or in relation to, a law included in this section.
- 100 (f) Child support enforcement activities as provided in
- 101 Section 93-11-155;
- 102 (g) Voter registration matters, as provided in Section
- 103 23-15-169 et seq.; or
- 104 (h) Motor vehicle emissions information.
- 105 (2) Personal information obtained by an agency in connection
- 106 with a motor vehicle record shall be disclosed to a requestor who:
- 107 (a) Is the subject of the information; or
- 108 (b) Demonstrates, in such form and manner as the agency
- 109 requires, that the requestor has obtained the written consent of
- 110 the person who is the subject of the information.
- 111 (3) Personal information obtained by an agency in connection
- 112 with a motor vehicle record may be disclosed to any requestor by
- 113 an agency if the requestor:
- 114 (a) Provides his or her name and address, and any proof
- 115 of that information as required by the agency; and

- 116 (b) Represents that the use of the personal information
- 117 will be strictly limited to use by:
- 118 (i) A government agency, including any court or
- 119 law enforcement agency, in carrying out its functions;
- 120 (ii) A private person or entity acting on behalf
- 121 of a government agency in carrying out the functions of the
- 122 agency;
- 123 (iii) Use in connection with a matter of:
- 124 1. Motor vehicle or motor vehicle operator
- 125 safety;
- 126 2. Motor vehicle theft;
- 127 3. Motor vehicle product alterations,
- 128 recalls, or advisories;
- 129 4. Performance monitoring of motor vehicles,
- 130 motor vehicle parts, or motor vehicle dealers; or
- 131 5. Removal of nonowner records from the
- 132 original owner records of motor vehicle manufacturers.
- 133 (iv) Use in the normal course of business by a
- 134 legitimate business, or an authorized agent of the business, but
- 135 only:
- 136 1. To verify the accuracy of personal
- 137 information submitted by the individual to the business or the
- 138 agent of the business; and

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139 2. If the information is not correct, to
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- 140 obtain the correct information for the sole purpose of preventing
- 141 fraud by pursuing a legal remedy against or recovering on a debt
- 142 or security interest against the individual.
- 143 (v) Use in conjunction with a civil, criminal,
- 144 administrative, or arbitral proceeding in any court or government
- 145 agency or before any self-regulatory body, including service of
- 146 process, investigation in anticipation of litigation, execution or
- 147 enforcement of a judgment or order, or under an order of any
- 148 court;
- 149 (vi) Use by a motor vehicle manufacturer,
- 150 dealership, or distributor, or an agent of or provider of services
- 151 to a motor vehicle manufacturer, dealership, or distributor, for
- 152 motor vehicle market research activities, including survey
- 153 research, but only if the personal information is not published,
- 154 redisclosed, or used to contact any individual;
- 155 (vii) Use by an insurer, insurance support
- 156 organization, or self-insured entity, or an authorized agent of an
- 157 insurer, insurance support organization, or self-insured entity,
- 158 in connection with claims processing or investigation activities,
- 159 antifraud activities, rating, or underwriting;
- 160 (viii) Use in providing notice to an owner or lien
- 161 holder of a vehicle that was towed or impounded, and is in the
- 162 possession of a vehicle storage facility;

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163 (ix) Use by an employer or an agent or insurer of
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- 164 the employer to obtain or verify information relating to a holder
- of a commercial driver's license that is required under 49 USC
- 166 Chapter 313;
- 167 (x) Use by a consumer reporting agency, as defined
- 168 by the Fair Credit Reporting Act (15 USC Section 1681 et seq.),
- 169 for a purpose permitted under that act;
- 170 (xi) In the normal course of business by a person,
- 171 or authorized agent of a person, who holds a license from the
- 172 Mississippi Motor Vehicle Commission, or is regulated by the
- 173 Department of Banking and Consumer Finance, the Board of Governors
- 174 of the Federal Reserve System, the Office of the Comptroller of
- 175 the Currency, the Federal Deposit Insurance Corporation, the
- 176 Consumer Financial Protection Bureau, or the National Credit Union
- 177 Administration;
- 178 (xii) In connection with the operation of private
- 179 toll transportation facilities.
- 180 (4) Subsection (3)(b)(iv) of this section does not authorize
- 181 the disclosure of personal information to a person who is not a
- 182 business licensed by, registered with, or subject to regulatory
- 183 oversight by a government agency.
- 184 (5) The only personal information an agency may release
- 185 under subsection (3) of this section is the person's

- 186 name, address, date of birth, email address, telephone number,
- 187 medical or disability information and driver's license number.
- 188 **SECTION 13.** The following shall be codified as Section
- 189 25-61-11.7, Mississippi Code of 1972:
- 190 25-61-11.7. (1) Any requestor who misrepresents his or her
- 191 purpose for seeking motor vehicle information, or who has violated
- 192 any provision of this act, or any rules of an agency promulgated
- 193 to carry out the provisions of this act, shall be guilty of a
- 194 felony, and upon conviction, shall be sentenced to the custody of
- 195 the Mississippi Department of Corrections for not more than five
- 196 (5) years. Any corporation, association, firm or other entity
- 197 that has violated the provisions of this act shall be fined in an
- amount not to exceed One Hundred Thousand Dollars (\$100,000.00)
- 199 for each violation.
- 200 (2) Whenever the agency provides a requestor access to
- 201 personal information in bulk as provided under Section 12 of this
- 202 act, the agency shall enter into a contract with the requestor
- 203 which shall require:
- 204 (a) That the requestor post a performance bond in an
- amount of not more than One Million Dollars (\$1,000,000.00);
- 206 (b) A prohibition on the sale or redistribution of the
- 207 personal information for the purpose of marketing extended vehicle
- 208 warranties by telephone;

209 (c) That the requestor provide proof of general

210 liability and cyber-threat insurance coverage in an amount

211 specified by the contracting agency, that is at least Three

212 Million Dollars (\$3,000,000.00), and reasonably related to the

213 risks associated with unauthorized access and use of the records;

- 214 (d) That if a requestor experiences a breach of system
- 215 security that includes data obtained under authority of this
- 216 section, the requestor shall notify the agency of the breach not
- 217 later than forty-eight (48) hours after the discovery of the
- 218 breach;
- (e) That the requestor include in each contract with a
- 220 third-party that receives the personal information from the
- 221 requestor, that the third-party must comply with federal and state
- 222 laws regarding the records;
- 223 (f) That the requester, and any third-party receiving
- 224 the personal information from the requestor, protect the personal
- 225 information with appropriate and accepted industry standard
- 226 security measures for the type of information and the known risks
- 227 from unauthorized access and use of the information; and
- 228 (g) That the requestor annually provides to the agency
- 229 a report of all third-parties to which the personal information
- 230 was disclosed under this act and the purpose of the disclosure.
- Nothing in this subsection (5) shall bar an agency from
- 232 adopting a rule that prohibits the bulk transfer of data.

- 233 (6) The bond and insurance requirements of this act shall
 234 not apply to a government agency, including a court of law or law
 235 enforcement agency.
- 236 (7) An agency that discloses any motor vehicle records in
 237 bulk shall include in the records at least two (2) records that
 238 are created solely for the purpose of monitoring compliance with
 239 this act and detecting by receipt of certain forms of
 240 communications or actions directed at the subjects of the created
 241 records, potential violations of this act or contract terms
 242 required by this act.
- 243 (8) An agency that discloses motor vehicle records shall designate an employee to be responsible for:
- 245 (a) Monitoring compliance with this act and contract 246 terms required by this act;
- 247 (b) Referring potential violations of this act to law 248 enforcement agencies; and
- 249 (c) Making recommendations to the administrative head 250 of the agency or his or her designee on the eligibility of a 251 person under this act to receive personal information.
- 252 (9) This act does not affect any rights or remedies 253 available under a contract or any other law. If an agency 254 determines that a person has violated the terms of a contract with 255 the agency that authorized the disclosure of personal information 256 in connection with a motor vehicle record, the agency may:

- 257 (a) Cease disclosing personal information to that
- 258 person; and
- 259 (b) Allow the person to remedy the violation and
- 260 continue receiving personal information.
- 261 (10) Nothing in this act shall be construed to prohibit the
- 262 Mississippi Department of Revenue from providing information to a
- 263 private firm for the management and upkeep of a tax lien registry.
- 264 **SECTION 14.** The following shall be codified as Section
- 265 25-61-11.8, Mississippi Code of 1972:
- 266 25-61-11.8. (1) A person who sells to a person who is not
- 267 an authorized recipient of personal information obtained by an
- 268 agency in connection with a motor vehicle record is liable to the
- 269 person who is the subject of the information for:
- 270 (a) Actual damages;
- (b) If the actual damages to the person are less than
- 272 Two Thousand Five Hundred Dollars (\$2,500.00), an additional
- 273 amount so that the total amount of damages equals Two Thousand
- 274 Five Hundred Dollars (\$2,500.00); and
- (c) Court costs incurred by the person who is the
- 276 subject of the information in bringing the action.
- 277 (2) A person whose personal information has been disclosed
- 278 for compensation to a person who is not an authorized recipient of
- 279 such information may sue for:

- 280 (i) The damages, costs, and fees authorized under
- 281 paragraph (a) of subsection (2) of this section;
- 282 (ii) Injunctive relief; and
- 283 (iii) Any other equitable remedy determined to be
- 284 appropriate by the court.
- 285 **SECTION 15.** The following section shall be codified as
- 286 Section 25-61-11.9, Mississippi Code of 1972:
- 287 25-61-11.9. (1) An authorized recipient of personal
- 288 information may redisclose the information, including redisclosure
- 289 for compensation, only for a use permitted under Section 12 of
- 290 this act.
- 291 (2) An authorized recipient who rediscloses personal
- 292 information obtained from an agency shall be required by that
- 293 agency to:
- 294 (a) Maintain for a period of not less than five (5)
- 295 years, records as to any person or entity receiving that
- 296 information and the permitted use for which it was obtained; and
- 297 (b) Provide copies of those records to the agency upon
- 298 request.
- 299 (3) A person who receives personal information under
- 300 subsection (2) of this section may not redisclose the personal
- 301 information, including redisclosure for compensation, to a person
- 302 who is not an authorized recipient of such information.

- 303 (4) An authorized recipient shall notify each person who 304 receives such personal information that the person may not 305 redisclose the personal information to a person who is not an 306 authorized recipient of such information.
- 307 (5) A person commits an offense if he or she violates this 308 section. The penalties established in Section 13, subsection (1) 309 of this act shall apply to violations of this section.
- 310 **SECTION 16.** The following shall be codified as Section 311 25-61-11.10, Mississippi Code of 1972:
- 25-61-11.10. In addition to the records of licensees

 exempted from the Public Records Act of 1983, by Section 49-7-4,

 any records held by the Mississippi Department of Wildlife,

 Fisheries and Parks that include the addresses, telephone numbers,

 electronic mail addresses, dates of birth, or social security

 numbers of any person who has done business with the department

 shall not be public records as defined by Section 25-61-3.
- 319 **SECTION 17.** The following shall be codified as Section 320 25-61-11.11, Mississippi Code of 1972:
- 25-61-11.11. In addition to any penalties provided for under this act, persons who violate the provisions of this act by using information that was unlawfully obtained to contact individuals by telephone, may also be investigated and sanctioned under the provisions of the Mississippi Telephone Solicitation Act.

- 326 **SECTION 18.** Section 49-7-4, Mississippi Code of 1972, is 327 brought forward as follows:
- 328 The records of the Department of Wildlife, Fisheries 329 and Parks relating to applications for and sales of any resident 330 or nonresident licenses issued under this chapter, and all records 331 related to holders of such licenses, are exempt from the 332 provisions of the Mississippi Public Records Act of 1983, in 333 accordance with Section 25-61-11, and shall be released only upon 334 order of a court having proper jurisdiction over a petition for 335 release of the record or records. However, upon request, the records specified in this section shall be available to all law 336 337 enforcement agencies.
- 338 **SECTION 19.** Section 77-3-725, Mississippi Code of 1972, is 339 brought forward as follows:
- 340 The commission may investigate alleged violations 341 and initiate proceedings relative to a violation of this article 342 or any rules and regulations promulgated pursuant to this article. 343 Such proceedings include, without limitation, proceedings to issue 344 a cease and desist order, and to issue an order imposing a civil 345 penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each 346 The commission shall afford an opportunity for a fair violation. 347 hearing to the alleged violator(s) after giving written notice of 348 the time and place for said hearing. Failure to appear at any such hearing may result in the commission finding the alleged 349 violator(s) liable by default. Any telephone solicitor found to 350

351	have violated this article, pursuant to a hearing or by default,
352	may be subject to a civil penalty not to exceed Ten Thousand
353	Dollars (\$10,000.00) for each violation to be assessed and
354	collected by the commission. Each telephonic communication shall

355 constitute a separate violation.

356 All penalties collected by the commission shall be deposited 357 in the special fund created under Section 77-3-721 for the 358 administration of this article.

The commission may issue subpoenas, require the production of relevant documents, administer oaths, conduct hearings, and do all things necessary in the course of investigating, determining and adjudicating an alleged violation.

The remedies, duties, prohibitions and penalties set forth under this article shall not be exclusive and shall be in addition to all other causes of action, remedies and penalties provided by law, including, but not limited to, the penalties provided by Section 77-1-53."

AMEND title to conform.

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Andrew Ketchings
Clerk of the House of Representatives

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