

By: Representative Green

To: Banking and Financial Services

HOUSE BILL NO. 736

1 AN ACT TO AMEND SECTION 75-67-313, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE FINANCIAL RATE THAT THE PAWNBROKER MAY CHARGE FOR  
3 ALL SERVICES, EXPENSES, COST AND LOSSES OF EVERY NATURE ADVANCE IN  
4 A PAWN TRANSACTION; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 75-67-313, Mississippi Code of 1972, is  
7 amended as follows:

8 75-67-313. (1) A pawnbroker may contract for and receive a  
9 pawnshop charge in lieu of interest or other charges for all  
10 services, expenses, cost and losses of every nature not to exceed  
11 two percent (2%) above the prime rate as listed in the first  
12 edition of the Wall Street Journal published for each calendar  
13 year since the merger or consolidation, unless the prime rate is  
14 not published in that edition of the Wall Street Journal, in which  
15 case any reasonable determination of the prime rate on the first  
16 business day of the year in which the services, expenses, cost or  
17 losses first occurred in the pawn transaction.

18 (2) Any interest, charge, or fees contracted for or  
19 received, directly or indirectly, in excess of the amount  
20 permitted under subsection (1) of this section shall be  
21 uncollectible and the pawn transaction shall void. The pawnshop  
22 charge allowed under subsection (1) of this section shall be  
23 deemed earned, due and owing as of the date of the pawn  
24 transaction and a like sum shall be deemed earned, due and owing  
25 on the same day of the succeeding month.

26 **SECTION 2.** This act shall take effect and be in force from  
27 and after July 1, 2005.