

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI SECRETARY OF STATE BUSINESS SERVICES DIVISION

Secretary of State
c/o James Anderson, Jr.
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Specific Legal Authority authorizing the promulgation of Rule: Sections 79-9-527 of Miss. Code Ann.
Reference to Rules repealed, amended or suspended by the Proposed Rule: Rule 113.2 of the Mississippi Administrative Rules, UCC-9 and Central Filing System Secured Transactions

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: The filing office has determined that the financing statements emanating from State and Federal prisons are being filed primarily, if not solely, for the purpose of illegally harassing law enforcement officers and other various public officials. ACH accounts and other electronic transfer of funds accounts are primarily used by legitimate commercial bulk filers and internet filers. In order to prevent a proliferation of fraudulent UCC-1 filings, the Secretary of State proposes to not accept authorization agreements for electronic fund transfers from remitters incarcerated in any state or federal prison, or other persons using such accounts for illegal purposes.

This rule is proposed as a Final Rule, and/or a Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

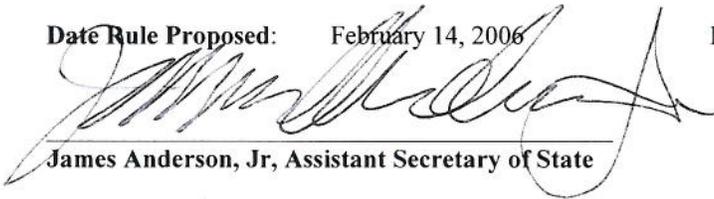
The agency has determined that an economic impact statement is not required for this rule, or

The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: February 14, 2006

Proposed Effective Date of Rule: February 14, 2006


James Anderson, Jr, Assistant Secretary of State

SOS FORM APA 001
Effective Date 01/07/2005