

STATE OF MISSISSIPPI
DEPARTMENT OF BANKING AND CONSUMER FINANCE

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MEMORANDUM

**To: Mississippi Consumer Finance Licensees:
Check Casher Lenders**

From: Rhoshunda G. Kelly, Commissioner

**Subject: Clarification on House Bill 547 (2026)
Regarding Debit and Credit Card Fees**

Date: September 3, 2026

It has come to the attention of the Mississippi Department of Banking and Consumer Finance (DBCf) that there is some confusion regarding the statutory limitations of House Bill 547 (HB 547), enacted during the 2026 Regular Legislative Session. This legislation amends Miss. Code Ann. Section 75-67-517 by adding a new section regarding third-party processing fees. The provision permits licensees to pass on a third-party processor's transaction fees specifically when a consumer utilizes a credit or debit card for payment. However, the statutory authorization to do so is strictly limited by the specific provisions of the Check Cashers Act, which has two separate sections that reference two entirely different services that are both legally permitted to be offered at licensed locations: (1) check cashing and (2) delayed deposit transactions (aka payday advances).

Licensees are directed to adhere to the following distinction:

- **Applicable to Check Cashing Services, Section 75-67-517:** The new provision allowing licensees to pass on a credit or debit card fee applies exclusively to checks cashed for a fee. When a licensee is charging a standard fee to cash government, personal, or all other checks, the single transaction cost levied by a third-party processor for a card swipe may be recovered from the consumer, provided it is fully disclosed in accordance with the provisions of 75-67-517(2).
- **Inapplicable to Delayed Deposit Transactions, Section 75-67-519:** The passing on of debit or credit card transaction fees does not apply to delayed deposit transactions (commonly referred to as payday advances). Permissible fees for this section of the Act remain unchanged. Therefore, the guidance issued on October 24, 2023, regarding the use of debit/credit card transactions still applies to delayed deposit transactions. A copy of such guidance is attached hereto.

In light of the above, all Check Cashers should immediately cease from charging, either directly or indirectly, through a third party, a fee for debit or credit card payments for delayed deposit transactions under Section 75-67-519. Please note that failure to cease charging for such service as of the date of this memo will result in enforcement actions.

Should you have any question, please contact Erik Smith, Nonbank Division Director, at erik.smith@dbcf.ms.gov or 601-321-6901.