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**Requirements for Grain Dealers**

**State of Mississippi**

*Penalties*

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## Requirements for Grain Dealers

### STATE OF MISSISSIPPI

*Current with legislation from the 2014 Regular and First and Second Extraordinary Session.*

#### **Miss. Code Ann. § 75-45-315**

#### **§ 75-45-315. Penalties for prohibited acts; injunctions**

- (1) Any person who engages in business as a grain dealer without securing a license or who does not have a valid license or is in violation of this article or the rules and regulations promulgated thereunder, or who shall impede, obstruct, hinder or otherwise prevent or attempt to prevent the commissioner or his duly authorized agent in performance of his duty in connection with this article or its rules and regulations, or any grain dealer who refuses to permit inspection of his premises, books, accounts or records as provided in this article shall, upon conviction thereof, be guilty of a misdemeanor and be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the first violation, and not less than two hundred dollars (\$200.00) nor more than one thousand dollars (\$1,000.00) for each subsequent violation or imprisoned in a penal institution other than the state penitentiary for not more than six (6) months, or both. In case of a continuing violation or violations, each day and each violation occurring constitutes a separate and distinct offense.
- (2) It shall be the duty of the Attorney General to whom any violation is reported to cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay. Before the commissioner reports a violation for prosecution he may give the grain dealer an opportunity to present his views at an informal hearing.
- (3) The commissioner may apply for and the circuit court may grant a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions of this article or any rules and regulations promulgated under the article notwithstanding the existence of other remedies at law. Any such injunction is to be issued without notice and without bond.
- (4) The commissioner may apply for, and the appropriate chancery court may grant, a temporary or permanent injunction restraining a grain dealer from disposing of any grain owned, in whole or in part, or held, or in his possession, whether owned in whole or in part, or from anyone removing any grain in which the grain dealer or producers from which he has purchased grain have an interest, in violation of any of the provisions of this article. Such injunction is to be issued without notice and without bond.