

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H2/21/13
A Bill

HOUSE BILL 1369

By: Representatives Lenderman, Cozart, McCrary, Scott, Vines

For An Act To Be Entitled

AN ACT TO REQUIRE PAWN SHOPS AND PAWNBROKERS TO ELECTRONICALLY UPLOAD RECORDS TO ASSIST THE INVESTIGATION OF CRIMES; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE PAWN SHOPS AND PAWNBROKERS TO ELECTRONICALLY UPLOAD RECORDS TO ASSIST THE INVESTIGATION OF CRIMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 12-12-103 is amended to read as follows:
12-12-103. Pawnshop records – Penalty.

(a) ~~It shall be the duty of each and every~~ A pawnshop ~~and~~ or pawnbroker doing business in the State of Arkansas ~~to~~ shall keep a record showing in detail all property pawned or purchased with ~~them~~ the pawnshop or pawnbroker.

(b)~~(1)~~ The records required under subsection (a) of this section shall include:

(A) A detailed record of each ~~and every~~ transaction, including the type of identification displayed by the person from whom the property was received;

(B) The name, address, race, sex, height, weight, and date of birth of the person from whom the property was received;

(C) The driver's license number, personal identification number issued under § 27-16-805, or the number from ~~some other~~ another form of photographic identification of the person from whom the property was



received; and

(D) A description of each item pawned or purchased, including, ~~but not limited to,~~ without limitation:

(i) ~~identifying~~ Identifying numbers or serial numbers; and

(ii) The amount paid by the pawnshop or pawnbroker for the item pawned.

~~(2) The records shall be maintained on the following form:~~

"Ticket _____	Description _____
Owner _____	D.O.B. _____
Address _____	Race _____
DL#, ID# or SS# _____	Sex _____
Article _____	Ht. _____
Serial # _____	Wt. _____"

(c)(1)(A) One (1) copy of the records required under subsection (a) of this section shall be maintained on file with the pawnshop or pawnbroker for a period of three (3) years.

(B) The Director of the Department of Arkansas State Police, ~~any a~~ a member of the Department of Arkansas State Police, ~~any a~~ a county sheriff or deputy of the county, or ~~any a~~ a police officer of the municipality in which the pawnshop or pawnbroker is located shall have access to ~~all such~~ the records at any reasonable time.

(2) The director, the county sheriff, or the chief of police in ~~any the~~ the county or municipality in which the pawnshop or pawnbroker is located may require a report of ~~such~~ transactions for ~~such periods~~ a period of time ~~as that~~ he or she ~~shall deem~~ deems necessary for the efficient enforcement of the criminal laws or to aid in criminal investigations.

(d)(1) The failure ~~on the part of~~ any a pawnbroker, or an owner, or operator of a pawnshop to comply with a provision of this section ~~shall be~~ is a violation.

~~(2) Upon conviction the offender shall be punished~~ punishable by a fine of not more than one thousand dollars (\$1,000).

~~(3)(2)~~ Each day a pawnbroker, or owner, or operator of a pawnshop fails to comply with a provision of this section ~~shall constitute~~ is a separate offense ~~and shall be punished accordingly.~~

(e)(1) ~~Any city or county may require by ordinance that pawnshops~~

Pawnshops and pawnbrokers shall:

(A) ~~Submit~~ Keep the records required by this section in a designated electronic format; and

(B) Daily upload ~~data~~ the records in the designated electronic format to:

(i) A centralized secure tracking system and Internet website designated by the chief law enforcement officer of a county, city, or local government; or

(ii) a A different centralized secure tracking system and Internet website other than the centralized secure tracking system to be chosen by the city or and Internet website designated under subdivision (e)(1)(B)(i) of this section if designated by county or municipal ordinance.

(2) The electronic records submitted under this subsection (e) shall be used for the sole purpose of investigating crimes ~~involving~~ property.

~~(3)~~ Pawnshops, pawnbrokers, and pawn customers shall not be required to incur any costs or increased fees as a result of the city, ~~or~~ county, or state collecting and processing records required by this section electronically.

/s/Lenderman