

As Engrossed: 1/31/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A BILL ACT 471 OF 1991
HOUSE BILL 1455

4 **By: Representatives Fairchild and Walker**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 12-12-103 RELATING TO

9 PAWNSHOP RECORDS; AND FOR OTHER PURPOSES."

10

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

12

13 SECTION 1. Arkansas Code 12-12-103 is hereby amended to read as

14 follows:

15 "12-12-103. Pawnshop records - Penalty.

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

19 (b) The records required under subsection (a) shall include a detailed
20 record of each and every transaction including the type of identification
21 displayed by the person from whom the property was received; the name,
22 address, race, sex, height, weight, and date of birth of the person from whom
23 the property was received; a description of each item pawned, including, but
24 not limited to, identifying numbers or serial numbers. The records shall be
25 maintained on the following form:

26

27 Ticket _____ Description _____

28 Owner _____ D.O.B. _____

29 Address _____ Race _____

30 ID _____ Sex _____

31 Article _____ Ht. _____

32 Ser. # _____ Wt. _____

33

34 (c) (1) One (1) copy of the records required under subsection (a) shall
35 be maintained on file with the pawnshop or pawnbroker for a period of three
36 (3) years. The Director of the Department of Arkansas State Police, any

1 member of the Arkansas State Police, any sheriff or deputy of the county, or
2 any police officer of the municipality in which the pawnshop or pawnbroker is
3 located shall have access to all such records at any and all reasonable times.

4 (2) The Director of the Department of Arkansas State Police, the
5 county sheriff, or the chief of police in any county or municipality in which
6 the pawnshop is located may require a report of such transactions for such
7 periods of time as he shall deem necessary for the efficient enforcement of
8 the criminal laws or to aid in criminal investigations.

9 (d)(1) The failure on the part of any pawnbroker, owner, or operator of
10 a pawnshop to comply with the provisions of this section shall be deemed a
11 misdemeanor. Upon conviction the offender shall be punished by a fine of not
12 more than one thousand dollars (\$1,000).

13 (2) Each day a pawnbroker, owner, or operator fails to comply with
14 the provisions of this section shall be deemed to constitute a separate
15 offense and shall be punished accordingly."
16

17 SECTION 2. All provisions of this Act of a general and permanent
18 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
19 Code Revision Commission shall incorporate the same in the Code.

20
21 SECTION 3. If any provision of this Act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the Act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 Act are declared to be severable.

26
27 SECTION 4. All laws and parts of laws in conflict with this Act are
28 hereby repealed.

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30 /s/*Fairchild and Walker*

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32 APPROVED: 3-12-91