

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: H2/21/13*

# A Bill

HOUSE BILL 1369

5 By: Representatives Lenderman, Cozart, McCrary, Scott, Vines  
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## For An Act To Be Entitled

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

## Subtitle

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13 TO REQUIRE PAWN SHOPS AND PAWNBROKERS TO  
14 ELECTRONICALLY UPLOAD RECORDS TO ASSIST  
15 THE INVESTIGATION OF CRIMES.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 12-12-103 is amended to read as follows:

22 12-12-103. Pawnshop records – Penalty.

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

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

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

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

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



1 received; and

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

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

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

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

9 "Ticket _____	Description _____
10 Owner _____	D.O.B. _____
11 Address _____	Race _____
12 DL#, ID# or SS# _____	Sex _____
13 Article _____	Ht. _____
14 Serial # _____	Wt. _____"

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

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

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

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

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

33 ~~(3)(2)~~ Each day a pawnbroker, or owner, or operator of a  
34 pawnshop fails to comply with a ~~provision of~~ this section ~~shall constitute~~ is  
35 a separate offense ~~and shall be punished accordingly.~~

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

1 Pawnshops and pawnbrokers shall:

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

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

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

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

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

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

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21 /s/Lenderman  
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