

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1990

5 By: Representative Hopper  
6 By: Senator J. Key  
7

## For An Act To Be Entitled

9 AN ACT REGARDING THE RETURN OF STOLEN PROPERTY BY A  
10 PAWN SHOP TO THE ORIGINAL OWNER; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 REGARDING THE RETURN OF STOLEN PROPERTY  
15 BY A PAWN SHOP TO THE ORIGINAL OWNER.  
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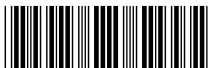
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 18-27-202 is amended to read as follows:  
22 18-27-202. Return of stolen personal property to owner.

23 When any pawnbroker in this state ~~shall, in good faith or otherwise,~~  
24 ~~acquire, by purchase, pawn, gift, or otherwise,~~ acquires by purchase, pawn,  
25 gift, or otherwise, in good faith or otherwise, any article of personal  
26 property ~~which that~~ has been stolen from the true owner ~~thereof,~~ the  
27 pawnbroker shall return the personal property to the true owner, ~~thereof upon~~  
28 ~~his or her request and the execution of his or her affidavit of possession at~~ no  
29 cost to the true owner, after a court has found that the property belongs  
30 to the true owner.  
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32 SECTION 2. Arkansas Code § 18-27-203 is amended to read as follows:  
33 18-27-203. Refusal to return property – Liability.

34 (a) If any pawnbroker shall fail or refuse to return any property to  
35 the true owner ~~thereof when requested to do so by him or her~~ after a court  
36 has found that the property belongs to the true owner as provided in § 18-27-



1 202, ~~it shall be necessary for the true owner to resort to legal action to~~  
2 ~~recover the property~~ the pawnbroker shall be charged with contempt of court.

3 (b) In the event that the ~~true owner is successful in a legal action,~~  
4 ~~the defendant~~ pawnbroker is found in contempt of court under subsection (a)  
5 of this section, the pawn broker shall be required to pay all reasonable  
6 expenses incurred by the owner in recovering the property, including court  
7 costs and attorneys' fees, and any damages suffered by the true owner as a  
8 result of the pawnbroker's failing or refusing to return the property to the  
9 true owner when so requested by ~~him or her~~ the true owner.

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