

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1836

By: Representative Wilkins

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS 12-12-103 TO REQUIRE PAWNBROKERS TO KEEP A DUPLICATE RECORD OF ALL TRANSACTIONS FOR EACH ITEM OF PROPERTY PAWNED OR SOLD OR LEASED BY THEM, TO REQUIRE THAT THE PROPERTY RECORD INCLUDE A FINGERPRINT OF THE PERSON FROM WHOM THE PROPERTY WAS RECEIVED, AND TO SEND A COPY OF THE PROPERTY RECORD TO THE COUNTY SHERIFF'S OFFICE OR THE LOCAL POLICE; AND FOR OTHER PURPOSES."

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

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

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

(a) It shall be the duty of each and every pawnshop and pawnbroker doing business in the State of Arkansas to keep a record showing in detail all property pawned with them and each item of property sold or leased to any person. These records shall be prepared in duplicate.

(b) The records required under subsection (a) shall include a detailed record of each and every transaction including the type of identification displayed by the person from whom the property was received or to whom each item was leased or sold; the name, address, physical description, and date of birth of the person from whom the property was received or to whom each item was leased or sold; a legible imprint of the right thumb of the of the person from whom the property was received or, if that is not possible, a legible imprint of the left thumb or other finger of the person from whom the property was received; a description of each item pawned, sold, or leased including, but not limited to, identifying numbers or serial numbers; and the amount loaned or the amount paid for each item of property sold or leased.

(c) (1) One copy of the records required under subsection (a) shall be maintained on file with the pawnshop or pawnbroker at any and all times. The

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

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

(3) The duplicate copy of the records shall be forwarded weekly to the chief of police or to the city or town marshal of the city or town in which the pawnshop is located or the city or, if located outside the corporate limits of any city or town, to the county sheriff's office of the county in which the pawnshop is located.

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

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

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

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

