

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1643

By: Breckinridge

AS INTRODUCED

An Act relating to pawnbrokers; amending 59 O.S.

1991, Section 1501, as amended by Section 6, Chapter 280, O.S.L. 1992 (59 O.S. Supp. 1994, Section 1515), which relates to pawnbrokers making certain information available to law enforcement; clarifying language; amending 21 O.S. 1991, Section 1092, which relates to a pawnbroker refusing to exhibit certain goods; clarifying language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 1515, as amended by Section 6, Chapter 280, O.S.L. 1992 (59 O.S. Supp. 1994, Section 1515), is amended to read as follows:

Section 1515. A. Any pawnbroker shall make available a copy or report within three (3) days of any buy transaction to the local law enforcement agency of the municipality or other political subdivision in which the pawnshop is located; provided, merchandise bought on invoice from a manufacturer or wholesaler with an established place of business is exempt from this reporting requirement. However, such invoice shall be shown upon request to

the Administrator or his duly authorized representative or any authorized peace officer. The copy or report shall include:

1. The name and address of the pawnshop;
2. The name, address, race, sex, weight, height, date of birth and either identification number of the seller as verified by either a state-issued identification card, driver's license or federal government-issued identification card or by readable fingerprint of right or left index finger on the back of the pawn or buy transaction copy to be retained for the pawnbroker's record;
3. The buy transaction number;
4. The date and time of the transaction;
5. The manufacturer of the item;
6. A description of the item; and
7. The serial number and model number where available and any other identifying markings.

B. Items bought, except on invoice from a manufacturer or wholesaler with an established place of business, shall be held for ten (10) days before being disposed of or sold.

C. Any pawnbroker shall make available a copy or report within three (3) days of any pawn transaction to the local law enforcement agency of the municipality or other political subdivision in which the pawnshop is located. The copy or report shall include:

1. The name and address of the pawnshop;
2. The name, address, race, sex, weight, height, date of birth and either identification number of the person making the pawn transaction with the pawnshop as verified by either a state-issued identification card, driver's license or federal government-issued identification card or by readable fingerprint of right or left index finger on the back of the pawn or buy transaction copy to be retained for the pawnbroker's record;
3. The pawn transaction number;
4. The date and time of the transaction;

5. The manufacturer of the item;
6. A description of the item; and
7. The serial number and model number where available and any other identifying markings.

D. The pawnbroker shall obtain a written declaration of ownership from the seller or pledgor on all buy and pawn transactions, except refinance pawn transactions or merchandise bought from a manufacturer or wholesaler with an established place of business. The seller or pledgor shall be required to state how long ~~he~~ the seller or pledgor has owned the property described in the transaction. The declaration of ownership shall appear on the bill of sale or pawn ticket, to be completed by the seller or the pledgor at the time of the transaction.

SECTION 2. AMENDATORY 21 O.S. 1991, Section 1092, is amended to read as follows:

Section 1092. Any pawnbroker or person carrying on the business of a pawnbroker, and every junk dealer, who having received any goods which have been embezzled or stolen, refuses or omits to exhibit them, upon demand, during the usual business hours, to the owner of said goods or ~~his~~ the owner's agent authorized to demand an inspection thereof, or any peace officer, is guilty of a felony.

SECTION 3. This act shall become effective November 1, 1995.

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