

13-32a-106.5 Confidentiality of pawn and purchase transactions.

- (1) All pawn and purchase transaction records delivered to a local law enforcement official or transmitted to the central database pursuant to Section 13-32a-106 are protected records under Section 63G-2-305. These records may be used only by law enforcement officials and the division and only for the law enforcement and administrative enforcement purposes of:
 - (a) investigating possible criminal conduct involving the property delivered to the pawnbroker or secondhand business in a pawn or purchase transaction;
 - (b) investigating a possible violation of the record keeping or reporting requirements of this chapter when the local law enforcement official, based on a review of the records and information received, has reason to believe that a violation has occurred;
 - (c) responding to an inquiry from an insurance company investigating a claim for physical loss of described property by searching the database to determine if property matching the description has been delivered to a pawnbroker or secondhand business by another person in a pawn or purchase transaction and if so, obtaining from the database:
 - (i) a description of the property;
 - (ii) the name and address of the pawnbroker or secondhand business who received the property; and
 - (iii) the name, address, and date of birth of the conveying person; and
 - (d) taking enforcement action under Section 13-2-5 against a pawnbroker or secondhand business.
- (2) An insurance company making a request under Subsection (1)(c) shall provide the police report case number concerning the described property.
- (3)
 - (a) A person may not knowingly and intentionally use, release, publish, or otherwise make available to any person or entity any information obtained from the database for any purpose other than those specified in Subsection (1).
 - (b) Each separate violation of Subsection (3)(a) is a class B misdemeanor.
 - (c) Each separate violation of Subsection (3)(a) is subject to a civil penalty not to exceed \$250.

Amended by Chapter 170, 2012 General Session

Amended by Chapter 284, 2012 General Session

Amended by Chapter 284, 2012 General Session, (Coordination Clause)