

59 (b) .925 fine sterling silver ingots, art bars, and medallions.

60 ~~[(9)]~~ (11) "Division" means the Division of Consumer Protection in Title 13, Chapter
61 1, Department of Commerce.

62 ~~[(10)]~~ (12) "Identification" means a valid United States federal or state-issued photo
63 personal identification, including a United States passport, a United States passport card, U.S.

64 military personal identification, ~~H→~~ [f] and [j] ~~←H~~ a driver license ~~H→~~ [, or a Utah driving

64a1 privilege

64a card] ~~←H~~ .

65 ~~[(11)]~~ (13) "Local law enforcement agency" means the law enforcement agency that
66 has direct responsibility for ensuring compliance with central database reporting requirements
67 for the jurisdiction where the pawnshop or secondhand business is located.

68 ~~[(12)]~~ (14) "Misappropriated" means stolen, embezzled, converted, obtained by theft,
69 or otherwise appropriated without authority of the lawful owner.

70 ~~[(13)]~~ (15) "Original victim" means a victim who is not a party to the pawn or sale
71 transaction and includes:

72 (a) an authorized representative designated in writing by the original victim; and

73 (b) an insurer who has indemnified the original victim for the loss of the described
74 property.

75 ~~[(15)]~~ (16) "Pawn and secondhand business" means any business operated by a
76 pawnbroker or secondhand merchandise dealer, or the owner or operator of the business.

77 ~~[(14)]~~ (17) "Pawnbroker" means a person whose business engages in the following
78 activities:

79 (a) loans money on one or more deposits of personal property;

80 (b) deals in the purchase, exchange, or possession of personal property on condition of
81 selling the same property back again to the pledgor or depositor;

82 (c) loans or advances money on personal property by taking chattel mortgage security
83 on the property and takes or receives the personal property into his possession, and who sells
84 the unredeemed pledges;

85 (d) deals in the purchase, exchange, or sale of used or secondhand merchandise or
86 personal property; or

87 (e) engages in a licensed business enterprise as a pawnshop.

88 ~~[(16)]~~ (18) "Pawnshop" means the physical location or premises where a pawnbroker
89 conducts business.

- 121 compensation is paid;
- 122 (vii) the sale or receipt of secondhand clothing and shoes;
- 123 (viii) any person offering his own personal property for sale, purchase, consignment, or
124 trade via the Internet;
- 125 (ix) any person or entity offering the personal property of others for sale, purchase,
126 consignment, or trade via the Internet, when that person or entity does not have, and is not
127 required to have, a local business or occupational license or other authorization for this activity;
- 128 (x) any owner or operator of a retail business that:
- 129 (A) receives used merchandise as a trade-in for similar new merchandise; or
- 130 (B) receives used retail media items as a trade-in for similar new or used retail media
131 items;
- 132 (xi) an owner or operator of a business that contracts with other persons or entities to
133 offer those persons' secondhand goods for sale, purchase, consignment, or trade via the
134 Internet;
- 135 (xii) any dealer as defined in Section 76-6-1402, which concerns scrap metal and
136 secondary metals; [~~or~~]
- 137 (xiii) the purchase of items in bulk that are:
- 138 (A) sold at wholesale in bulk packaging;
- 139 (B) sold by a person licensed to conduct business in Utah; and
- 140 (C) regularly sold in bulk quantities as a recognized form of sale; or

141 (xiv) the owner or operator of a children's product ~~H~~→ **[retail] resale** ←~~H~~ business.

142 Section 2. Section **13-32a-104** is amended to read:

143 **13-32a-104. Register required to be maintained -- Contents -- Identification of**
144 **items -- Prohibition against pawning or selling certain property.**

145 (1) Every pawnbroker or secondhand merchandise dealer shall keep a register of each
146 article of property a person pawns or sells to the pawnbroker or secondhand merchandise
147 dealer, except as provided in Subsection 13-32a-102[(23)] ~~H~~→ **[(25)] (26)** ←~~H~~ (b).

147a Every pawn and

148 secondhand business owner or operator, or ~~his~~ the owner's or operator's employee, shall enter
149 the following information regarding every article pawned or sold to the owner or employee:

- 150 (a) the date and time of the transaction;
- 151 (b) the pawn transaction ticket number, if the article is pawned;