

1st Sub. H.B. 394

PAWNSHOP AND SECONDHAND MERCHANDISE AMENDMENTS

Representative **Eric K. Hutchings** proposes the following amendments:

1. Page 25, Line 759 through Page 26, Line 777:

759            ~~{(1)}~~    A pawn or secondhand business may not [~~purchase, accept as a pawn, or take for~~  
760    ~~consignment any property from a person~~] engage in a pawn transaction or secondhand  
761    merchandise transaction with an individual who:  
762            ~~[(+)]~~   ~~{(a)}~~    (1)    is younger than 18 years of age; or  
763            ~~[(2)]~~   ~~{(b)}~~    (2)    appears to be [~~acting~~] under the influence of alcohol or [~~any~~] a controlled  
764    substance.  
765            ~~{(2) Except as provided in Subsection (3), on and after January 1, 2020, a pawnbroker~~  
766    ~~may not enter into a transaction with an individual who, including the transaction being~~  
767    ~~proposed, will have engaged within the previous 30 days, with a pawnbroker regulated by this~~  
768    ~~chapter, in:~~  
769    ~~—— (a) more than four transactions; or~~  
770    ~~—— (b) one or more transactions, if the total of items of property involved in the total of~~  
771    ~~transactions is more than 10;~~  
772    ~~—— (3) A pawnbroker may engage in a transaction with an individual in excess of the~~  
773    ~~limitations described in Subsection (2) if the pawnbroker determines that the transaction being~~  
774    ~~proposed is a pawn transaction and the transaction involves an item of property that:~~  
775    ~~—— (a) has a serial number or unique identifying mark; and~~  
776    ~~—— (b) has been pawned and redeemed by the same individual with the pawnbroker within~~  
777    ~~the previous 30 days.}~~

2. Page 27, Lines 815 through 816:

815            (4) The division may ~~{not, on or after May 14, 2019,}~~   only   increase fees for a pawnshop or  
816    secondhand business   under Section 63J-1-504 .