SENATE, No. 1106

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by: Senator JOSEPH F. VITALE District 19 (Middlesex)

SYNOPSIS

Requires pawnbrokers to record and report certain information.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning pawnbrokers and amending R.S.45:22-34.

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BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

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- 1. R.S.45:22-34 is amended to read as follows:
- 7 45:22-34. a. All pawnbrokers or dealers in secondhand goods, 8 in addition to keeping a proper record of the deposit and redemption 9 of all goods and pledges shall, each day, except Sunday, before 10 eleven o'clock in the forenoon, deliver to the chief of police, or 11 other head of the police department of the municipality having an 12 established police department and in which said pawnbroker or 13 dealer has his place of business, a legible and correct transcript, on 14 blank forms to be furnished by said police department, from the 15 book or books in which said pawnbroker or dealer keeps his record 16 of the deposit or redemption of goods and pledges, showing the 17 description of each article or thing received by him during the 18 business day immediately preceding the filing of the report, 19 together with the amount of money loaned thereon, and a 20 [description of the person making the pledge] copy of a 21 government-issued identification and affidavit of the person making 22 the pledge, as prescribed in subsection b. of this section. In the case 23 of business done on Saturday such report shall be delivered to the 24 chief of police or head of the police department before eleven 25 o'clock A.M. of the succeeding Monday. Any pawnbroker or dealer 26 in secondhand goods who fails to comply with the provisions of this 27 section shall I forfeit and pay to the municipality wherein he has his 28 place of business a fine or penalty of one hundred dollars for each 29 and every offense be guilty of a disorderly persons offense for the 30 first offense, and for a subsequent offense the Commissioner of 31 Banking and Insurance shall revoke the authority of that 32 pawnbroker or dealer of secondhand goods to do business in this 33 State.
 - b. Every pawnbroker and dealer of secondhand goods, when engaging in business, shall make a good faith effort to verify the identity of a person making a pledge by requesting and examining:
 - (1) a government-issued identification, which may include:
 - (a) a valid document issued by a government agency bearing the person's signature, a photographic image of the person's face, including a photographic image contained on a valid driver's license issued by another state, and a physical description of the person.
- 42 <u>person;</u>

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- 43 (b) a valid passport;
- 44 (c) a valid identification card issued by any branch of the armed 45 forces of the United States; or
- (d) a valid identification card issued by the United States
 Citizenship and Immigration Services; and

 $\textbf{EXPLANATION}-\textbf{Matter enclosed in bold-faced brackets} \ \ \textbf{[} \ \textbf{thus} \ \textbf{]} \ \textbf{in the above bill is not enacted and is intended to be omitted in the law.}$

- (2) an affidavit from the person making the pledge stating that the goods or articles being pledged are owned by that person.
- c. No pawnbroker or dealer of secondhand goods shall accept goods or articles from: (1) a particular person more than twice in any calendar month or more than six times in a calendar year; or (2) under circumstances that would cause a reasonable person to believe the goods or articles were probably stolen or otherwise inappropriately obtained.

(cf: R.S.45:22-34)

2. This act shall take effect on the 90th day next following the date of enactment.

STATEMENT

This bill amends R.S.45:22-34, which mandates that pawnbrokers and dealers of secondhand goods record certain information regarding their transactions with the public and report this information to the police, by requiring that these pawnbrokers and dealers also record and report additional information.

More specifically, the bill stipulates that every pawnbroker and dealer of secondhand goods, when engaging in business, shall make a good faith effort to verify the identity of a person making a pledge by requesting and examining: (1) a government-issued identification, which may include: a valid document issued by a government agency bearing the person's signature, a photographic image of the person's face, including a photographic image contained on a valid driver's license issued by another state, and a physical description of the person; a valid passport; a valid identification card issued by any branch of the armed forces of the United States; or a valid identification card issued by the United States Citizenship and Immigration Services; and (2) an affidavit from the person making the pledge stating that the goods or articles being pledged are owned by that person. This information is to be transmitted to the local police.

The bill also provides that no pawnbroker or dealer of secondhand goods shall accept goods or articles from: (1) a particular person more than twice in any calendar month or more than six times in a calendar year; or (2) under circumstances that would cause a reasonable person to believe the goods or articles were probably stolen or otherwise inappropriately obtained.

In addition, the bill states that any pawnbroker or dealer in secondhand goods who fails to comply with the provisions of R.S.45:22-34 shall be guilty of a disorderly persons offense for the first offense, and for a subsequent offense the Commissioner of Banking and Insurance shall revoke the authority of that pawnbroker or dealer of secondhand goods to do business in this State.