

February 11, 1999

PROPOSED AMENDMENTS TO SENATE BILL NO. 2370

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new chapter to title 51 of the North Dakota Century Code, relating to pawnshops and certain secondhand stores; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new chapter to title 51 of the North Dakota Century Code is created and enacted as follows:

Definitions. In this chapter:

1. "Pawnshop" means a business in which money is loaned at interest in exchange for personal property left as security.
2. "Secondhand store" means a business that buys and sells previously used merchandise and the majority of the items purchased or sold are purchased or sold for consideration exceeding fifty dollars per item. The term does not include a business that deals mainly in used clothing or sports items or memorabilia.

Identification and recordkeeping.

1. If a person working in a pawnshop or secondhand store takes a pledge or buys an item for consideration exceeding fifty dollars, that person shall:
 - a. Require the pledgor or seller to present two forms of identification, including one photograph identification.
 - b. Record the pledgor's or seller's social security number or motor vehicle operator's license identification number, and record the consideration given.
 - c. Require the pledgor or seller to sign the form on which the information required under subdivision b is recorded.
2. A person working in a pawnshop or secondhand store may not take in pledge or buy personal property exceeding fifty dollars from anyone under eighteen years of age.
3. Before a person working in a pawnshop or secondhand store may sell an item for consideration exceeding fifty dollars, the person shall obtain the name and address of the buyer and verify the buyer's name through one form of picture identification.

Inspection of records. Any record required to be kept by this chapter is open to inspection by law enforcement officers during regular business hours.

Application in home rule cities and counties. A home rule charter or ordinance implementing a home rule charter of a city or county may not be less stringent than the requirements of this chapter.

Penalty. A person who willfully violates this chapter is guilty of an infraction."

Renumber accordingly