

ASSEMBLY, No. 1301

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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District 4 (Camden and Gloucester)

Assemblywoman ANGELICA M. JIMENEZ

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SYNOPSIS

Requires pawnbrokers to file transaction reports online.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/27/2020)

1 **AN ACT** concerning pawnbroker transaction reports and amending
2 R.S.45:22-34.

3

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

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7 1. R.S.45:22-34 is amended to read as follows:

8 45:22-34. a. All pawnbrokers or dealers in secondhand goods,
9 in addition to keeping a proper record of the deposit and redemption
10 of all goods and pledges shall, each day, [except Sunday, before
11 eleven o'clock in the forenoon, deliver to the chief of police, or
12 other head of the police department of the municipality having an
13 established police department and in which said pawnbroker or
14 dealer has his place of business, a legible and correct transcript, on
15 blank forms to be furnished by said police department, from the
16 book or books in which said pawnbroker or dealer keeps his record
17 of the deposit or redemption of goods and pledges, showing the
18 description of each article or thing received by him during the
19 business day immediately preceding the filing of the report,
20 together with the amount of money loaned thereon, and a
21 description of the person making the pledge. In the case of business
22 done on Saturday such report shall be delivered to the chief of
23 police or head of the police department before eleven o'clock A.M.
24 of the succeeding Monday] file a transaction report with the online
25 system established pursuant to subsection b. of this section. The
26 transaction report shall contain the following information about the
27 business day immediately preceding the filing of the report:

28 (1) A description, including a digital photograph, of each article
29 received by the pawnbroker or dealer;

30 (2) The amount of money loaned or tendered in exchange for
31 that article;

32 (3) A description of the person making the transaction,
33 including a digital copy of the government issued identification of
34 that person; and

35 (4) Any additional information that the Attorney General may
36 require.

37 b. The Attorney General shall establish and operate an online
38 system for pawnbrokers and dealers to report transactions. The
39 system shall include a website and online forms for the reporting of
40 information required of pawnbrokers and dealers pursuant to
41 subsection a. of this section. Any information reported shall be
42 confidential and shall be accessible only by state, federal, and local
43 law enforcement officials.

44 c. Any pawnbroker or dealer in secondhand goods who fails to
45 comply with the provisions of this section shall forfeit and pay to

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 the municipality wherein he has his place of business a fine or
2 penalty of one hundred dollars for **【each and every】** the first,
3 second, and third offense, and five hundred dollars for the fourth
4 offense and each subsequent offense.

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

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7 2. This act shall take effect on the 120th day following
8 enactment, but the Attorney General may take such actions as
9 necessary to fulfill the purposes of this act before that date.

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12 STATEMENT

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14 This bill requires pawnbrokers and dealers in secondhand goods
15 to file daily transaction reports online. Under current law,
16 pawnbrokers are required to deliver certain information on
17 transactions each day to the appropriate law enforcement agency of
18 the municipality in which the pawnbroker's place of business is
19 located. Under the bill, pawnbrokers would instead file transaction
20 reports online each day, using an online reporting system which the
21 bill requires the Attorney General to establish.

22 The bill requires the daily transaction report to contain the
23 following information about items received during the business day
24 immediately preceding the filing of the report:

25 (1) A description, including a digital photograph, of each article
26 received by the pawnbroker;

27 (2) The amount of money loaned or tendered in exchange for
28 that article;

29 (3) A description of the person making the transaction,
30 including a digital copy of the government issued identification of
31 that person; and

32 (4) Any additional information that the Attorney General may
33 require.

34 The bill requires the Attorney General to establish an online
35 system for pawnbrokers and dealers to report daily transactions.
36 The system shall include a website and online forms for the
37 reporting of information required of pawnbrokers and dealers by the
38 bill. Any information reported shall be confidential and shall be
39 accessible only by state, federal, and local law enforcement
40 officials.

41 The bill also increases the penalties for violations of the
42 reporting requirement. Under current law, pawnbrokers are subject
43 to a one hundred dollar penalty for each failure to comply with the
44 law. Under the bill, pawnbrokers would be subject to a one hundred
45 dollar penalty for the first, second, and third offenses, and a five
46 hundred dollar penalty for the fourth and each subsequent offense.

47 This bill is a response to innovations in technology that may
48 assist law enforcement in investigating reports of stolen property.

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1 The current daily reporting statute for pawnbrokers can result in a
2 large and unwieldy amount of paperwork being delivered to police
3 departments. The online system will be a more accessible and
4 practical tool to help state, federal, and local law enforcement
5 officials locate stolen property.