

**SENATE, No. 629**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator PAUL A. SARLO**

**District 36 (Bergen and Passaic)**

**Senator STEVEN V. OROHO**

**District 24 (Morris, Sussex and Warren)**

**SYNOPSIS**

Requires pawnbrokers retain goods for seven days and record and report certain information.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



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

2  
3        **BE IT ENACTED** by the Senate and General Assembly of the State  
4 of New Jersey:

5  
6        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 **【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.

34        b. Every pawnbroker and dealer of secondhand goods, when  
35 engaging in business, shall make a good faith effort to verify the  
36 identity of a person making a pledge by requesting and examining:

37        (1) a government-issued identification, which may include:

38        (a) a valid document issued by a government agency bearing the  
39 person's signature, a photographic image of the person's face,  
40 including a photographic image contained on a valid driver's  
41 license issued by another state, and a physical description of the  
42 person;

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

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     (d) a valid identification card issued by the United States  
2     Citizenship and Immigration Services; and

3     (2) an affidavit from the person making the pledge stating that  
4     the goods or articles being pledged are owned by that person.

5     c. A pawnbroker or dealer of secondhand goods shall retain  
6     any goods or pledges in the form in which they were purchased or  
7     pledged for a period of not less than seven business days.

8     (cf: R.S.45:22-34)

9  
10     2. This act shall take effect on the 90th day next following the  
11     date of enactment.

12  
13  
14                                   STATEMENT

15  
16     This bill amends R.S.45:22-34, which mandates that  
17     pawnbrokers and dealers of secondhand goods record certain  
18     information regarding their transactions with the public and report  
19     this information to the police, by requiring that these pawnbrokers  
20     and dealers also record and report additional information.

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

36     The bill also provides that pawnbrokers and dealers of  
37     secondhand goods must retain any goods or pledges in the form in  
38     which they were purchased or pledged for a period of not less than  
39     seven business days.

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