S T A T E O F N E W Y O R K

5839

2009-2010 Regular Sessions

I N A S S E M B L Y

February 20, 2009

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law and the county law, in relation to the registration of goods presented to pawnbrokers with the sheriff's department

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new section 46-a to read as follows:

S 46-A. IDENTIFICATION AND REGISTRATION OF GOODS. 1. NO COLLATERAL LOAN BROKER SHALL TAKE POSSESSION OF ANY GOODS, ARTICLES OR THINGS PAWNED OR PLEDGED WITHOUT CONFIRMING THE IDENTITY OF THE PERSON PAWNING OR PLEDGING SUCH GOODS UPON PRESENTATION OF TWO FORMS OF IDENTIFICATION. THE COLLATERAL LOAN BROKER SHALL MAINTAIN A RECORD FOR EACH ITEM HE OR SHE TAKES POSSESSION OF, SUCH RECORD SHALL CONTAIN A PHOTOCOPY OF THE FORMS OF IDENTIFICATION PRESENTED AND A PHONE NUMBER AND ADDRESS AT WHICH THE PERSON PAWNING OR PLEDGING THE ITEM MAY BE CONTACTED.

2. WITHIN TWENTY-FOUR HOURS OF RECEIPT OF ANY GOODS, ARTICLES OR THINGS PAWNED OR PLEDGED, THE COLLATERAL LOAN BROKER SHALL PRESENT TO THE SHERIFF'S DEPARTMENT A DESCRIPTION OF THE ITEM AND, IF AVAILABLE, ANY IDENTIFICATION NUMBERS WHICH MAY BE ON THE ITEM.

3. UPON REPORTING ITEMS PURSUANT TO SUBDIVISION TWO OF THIS SECTION, THE COLLATERAL LOAN BROKER MAY NOT SELL OR DESTROY THE ITEM UNTIL FIFTEEN CALENDAR DAYS HAVE ELAPSED.

4. THE COLLATERAL LOAN BROKER SHALL MAKE AVAILABLE TO THE SHERIFF'S DEPARTMENT, UPON REQUEST, ALL RECORDS COMPILED PURSUANT TO THIS SECTION.

S 2. Section 650 of the county law is amended by adding a new subdivision 3 to read as follows:

3. THE SHERIFF SHALL COMPILE A LIST OF GOODS REPORTED STOLEN WITHIN THE COUNTY, WHICH LIST SHALL CONTAIN REPORTS MADE TO HIS OR HER DEPARTMENT, THE RESPECTIVE LOCAL POLICE DEPARTMENTS AND THE STATE POLICE.

S 3. This act shall take effect November 1, 2010.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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