

AN ACT relating to pawnbrokers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 226.040 is amended to read as follows:

(1) With the exception of re-pawned property or merchandise purchased directly from a manufacturer or wholesaler with an established business, every

pawnbroker shall keep a register of all loans and purchases of all articles effected or made by him. The register shall **contain:**

(a) The name, age, and address of the pledgor or seller;

(b) The pledgor or seller's operator's license number, uniformed services identification number, or other personal identification number;

(c) 1. A photocopy or electronic scan of a government-issued identification card such as an operator's license, uniformed services card identification, or other personal identification card of the pledgor or seller; or

2. If the pledgor or seller provides identification not issued by the government, in addition to a photocopy or electronic scan of the seller's identification, a copy of the right thumbprint of the seller shall be recorded;

(d) The date and time of the transaction;~~[show the dates of all loans or purchases, and the names of all persons who have left any property on deposit as collateral security, or as a delivery or sale. Opposite the names and dates shall be written in plain hand]~~

(e) An accurate~~[A full]~~ description of all property purchased or received on deposit as collateral security, **including the name of the manufacturer, model or serial numbers, and any identifying features, letters, or characteristics;**

(f) If the property purchased or received on deposit as collateral is a precious

metal or gemstone, a record of the size, weight, color, number of gemstones if any, metal type, and other identifying characteristics;

(g) A digital or scanned photograph of the item purchased or received on collateral;

(h) The time when the loan falls due, and

(i) The amount of purchase money, the amount loaned and the interest charged.

(2) A pawnbroker shall not conduct business with a seller or pledgor who is unable or refuses to provide the identification required in subsection (1) of this section.

(3) The register shall be kept:

(a) In hard copy format and available at all times~~[be open]~~ to the inspection of any officer of this state when in the discharge of his or her official duty; or

(b) If provided by local ordinance, in an electronic format available for upload via a secure Internet connection to an electronic reporting service and uploaded within the time period required pursuant to the local ordinance. If the register is kept pursuant to this paragraph, a hard copy of the registry retention shall not be required.

(4) Information provided under this section shall be confidential and shall be used solely for the purpose of criminal investigation.

(5) The registry requirements of this section shall be in addition to any registry or recordkeeping requirements created by local ordinance, and shall not supersede any local ordinance relating to the information required in or format, system, or technical specifications of a registry kept in an electronic format pursuant to subsection (3)(b) of this section.

→Section 2. KRS 226.060 is amended to read as follows:

The chief of police of a city of the first class or the chief of police of a county containing a city of the first class, or the chief of police of a consolidated local government, and persons acting by his orders may examine the register or books of any pawnbroker or his

clerk, if they deem it necessary when in search of stolen property. Any person who has in his possession a pawnbroker's ticket issued by a pawnbroker in a city of the first class or in a county containing a city of the first class or a consolidated local government shall, when accompanied by a policeman or by an order from the chief or captain of police, be permitted to examine property purporting to be pawned by that ticket. No property shall be removed from the possession of any pawnbroker without the process of law required by the existing laws of the state, or the laws and ordinances of the local government regulating pawnbrokers.

➔Section 3. KRS 226.070 is amended to read as follows:

- (1) Every pawnbroker in a city or in the unincorporated area of any county shall by 11 a.m. each day, make available to the chief of police of the city, the chief law enforcement officer of the county, or to the Department of Kentucky State Police, a true and correct **electronic record or** written report of all goods received by him or her, whether by pawn or purchase, during the twenty-four (24) hours preceding each report. The **electronic record or written** report shall **contain all of the information required under subsection (1) of Section 1 of this Act**~~describe the goods as accurately as practicable~~.
- (2) The chief of police of the city, the chief law enforcement officer of the county, or the Department of Kentucky State Police shall furnish blanks for the reports required by subsection (1) of this section.