

FIRST REGULAR SESSION

SENATE BILL NO. 263

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREEN.

Read 1st time February 10, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1005S.02I

AN ACT

To amend chapter 367, RSMo, by adding thereto one new section relating to pawnbrokers, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 367, RSMo, is amended by adding thereto one new section, to be known as section 367.054, to read as follows:

367.054. 1. In addition to the requirements of subsection 3 of section 367.044, when the pledged or sold property is jewelry of any kind or any article of gold or silver, the pawnbroker shall photograph the pledgor or seller and complete a transaction form at the time of the transaction.

2. The transaction form shall be supplied by the law enforcement agency of the municipality or county that licenses and regulates the pawnbroker.

3. The completed transaction form shall contain the following information:

(1) The date, place, and time of the sale;

(2) The name, address, home and business telephone numbers, date of birth, social security number, and driver's license number of the pledgor or seller;

(3) A description of the pledgor or seller;

(4) A description of the property pledged or sold;

(5) The name of the employee handling the transaction; and

(6) The right thumb print of the seller or, if right thumb print cannot be obtained, the left thumb print and the reason why the right thumb print was not available.

4. Every pawnbroker shall display, in a prominent place, a notice

22 that state law requires a photograph and fingerprint from every
23 pledgor or seller of jewelry, gold, or silver.

24 5. A pawnbroker shall hold each photograph and completed
25 transaction form for a period of one year from the date of the
26 transaction. Sixty days prior to destroying a photograph or transaction
27 form, the pawnbroker shall provide written notice to the law
28 enforcement agency of the municipality or county that licenses and
29 regulates the pawnbroker of the intent to destroy such
30 documents. Upon request by the law enforcement agency, the
31 pawnbroker shall not destroy the documents and shall provide them to
32 the law enforcement agency.

33 6. Upon the request of a law enforcement officer in connection
34 with the investigation of a crime specifically involving an item of
35 jewelry, gold, or silver, the pawnbroker shall provide the photograph
36 and transaction form relating to the item even if the officer does not
37 provide prior notice or a search warrant.

38 7. A pawnbroker shall not sell, trade, melt, or in any way dispose
39 of, alter, or destroy any item of pledged or sold jewelry, gold, or silver
40 until seven calendar days after the date of the transaction. The
41 pawnbroker shall not sell, trade, melt, or in any way dispose of, alter,
42 or destroy any item of pledged or sold jewelry, gold, or silver that is
43 subject to a hold order pursuant to section 367.047 and section 367.055,
44 or is needed as evidence pursuant to section 367.048.

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