



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1678

Introduced 2/22/2007, by Rep. Joseph M. Lyons

SYNOPSIS AS INTRODUCED:

205 ILCS 510/7

from Ch. 17, par. 4657

Amends the Pawnbroker Regulation Act. Requires a resale vendor to provide transactional information to the superintendent or chief of police of the city or town in which he or she is doing business or to the sheriff of the county in which he or she is doing business, on a daily basis by the end of the next business day or on such less frequent basis as required by the law enforcement official. Contains provisions concerning the means a resale vendor shall provide the law enforcement official with the daily report. Requires resale vendors to hold all items purchased from the public for a period of 21 days after transmitting transactional information via facsimile or U.S. Postal Service or 10 days after transmitting transactional information electronically prior to selling, distributing, or altering goods in any way. Provides that in counties with more than 3,000,000 inhabitants, a resale vendor must provide the daily report to the sheriff only if the pawnshop or resale vendor is located in an unincorporated area of the county. Provides that not-for-profit organizations, charities, and businesses or corporations solely involved in the business of buying and selling clothing are exempt from reporting. Provides that resale vendors are not required to incur any costs or increased fees as the result of the city, town, or county collecting or processing records electronically.

LRB095 08429 MJR 28604 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Pawnbroker Regulation Act is amended by
5 changing Section 7 as follows:

6 (205 ILCS 510/7) (from Ch. 17, par. 4657)

7 Sec. 7. Daily report.

8 (a) For purposes of this Section:

9 "Personally identifiable information" consists of the
10 pledgor's: (i) name and address; (ii) sex, race, and
11 approximate height; (iii) date of birth; and (iv) distinctive
12 number from the pledgor's driver's license or identification by
13 a government agency or the United States Postal Service.

14 "Resale vendor" means any business or corporation in the
15 State that purchases goods directly from the public.

16 "Transactional information" consists of the following: (i)
17 a clear and accurate description of the pledged things,
18 including model and serial numbers if indicated on things; (ii)
19 the date of the original transaction; (iii) the maturity date
20 of the original transaction; and (iv) the date and amount of
21 each payment made on a transaction, including any extensions
22 made.

23 (b) Every resale vendor shall provide all transactional

1 information obtained to the superintendent or chief of police
2 of the city or town in which he or she is doing business or to
3 the sheriff of the county in which he or she is doing business,
4 on a daily basis by the end of the next business day or on such
5 less frequent basis as is required by the law enforcement
6 official. The means for providing the transactional
7 information required under this Section shall be selected by
8 the law enforcement official and shall be one of the following:

9 (1) By electronic transmission if the resale vendor has
10 the means available to make transmissions in electronic
11 form.

12 (2) By sending a facsimile.

13 (3) By mailing through the U.S. Postal Service.

14 In the event transactional information is transmitted
15 electronically pursuant to item (1) of this subsection (b), the
16 appropriate law enforcement official may, for purposes of an
17 investigation of a crime relating to a particular transaction,
18 request the resale vendor to mail or fax the official the
19 personally identifiable information relating to such
20 transaction under investigation. The resale vendor shall
21 deliver the personally identifiable information relating to
22 the identified transaction to the appropriate law enforcement
23 official within 24 hours after the request. In the event the
24 resale vendor transfers information in printed form pursuant to
25 items (2) or (3) of this subsection (b), the resale vendor
26 shall not also be required to transmit such information in

1 electronic form pursuant to item (1) of this subsection (b).

2 (c) Resale vendors must hold all items purchased from the
3 public for a period of 21 days after transmitting transactional
4 information via facsimile or U.S. Postal Service or 10 days
5 after transmitting transactional information electronically
6 prior to selling, distributing, or altering goods in any way.

7 (d) ~~(a)~~ Except as provided in subsection (e) ~~(b)~~, it shall
8 be the duty of every pawnbroker to make out and deliver to the
9 sheriff of the county in which such pawnbroker does business,
10 on each day before the hours of 12 o'clock noon, a legible and
11 exact copy from the standard record book, as required in
12 Section 5 of this Act, that lists all personal property and any
13 other valuable thing received on deposit or purchased during
14 the preceding day, including the exact time when received or
15 purchased, and a description of the person or person by whom
16 left in pledge, or from whom the same were purchased; provided,
17 that in cities or towns having 25,000 or more inhabitants, a
18 copy of the such report shall at the same time also be
19 delivered to the superintendent of police or the chief police
20 officer of such city or town. Such report may be made by
21 computer printout or input memory device if the format has been
22 approved by the local law enforcement agency.

23 (e) ~~(b)~~ In counties with more than 3,000,000 inhabitants, a
24 pawnbroker or resale vendor must provide the daily report to
25 the sheriff only if the pawnshop or resale vendor is located in
26 an unincorporated area of the county. Pawnbrokers or resale

1 vendors located in cities or towns in such counties must
2 deliver such reports to the superintendent of police or the
3 chief police officer of such city or town.

4 (f) Not-for-profit organizations, charities, and
5 businesses or corporations solely involved in the business of
6 buying and selling clothing are exempt from reporting under
7 subsection (b) of this Section.

8 (g) Resale vendors are not required to incur any costs or
9 increased fees as the result of the city, town, or county
10 collecting or processing records electronically under this
11 Section.

12 (Source: P.A. 90-477, eff. 7-1-98; 90-602, eff. 7-1-98.)