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**HOUSE BILL 2309**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Representative MacEwen

AN ACT Relating to pawnbroker and secondhand dealer transactions; amending RCW 19.60.020; reenacting and amending RCW 19.60.066; adding a new section to chapter 19.60 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 19.60.020 and 2017 c 169 s 2 are each amended to read as follows:

(1) Every pawnbroker and secondhand dealer doing business in this state shall maintain wherever that business is conducted a record in which shall be legibly written in the English language, at the time of each transaction the following information:

(a) The signature of the person with whom the transaction is made;

(b) The date of the transaction;

(c) The name of the person or employee or the identification number of the person or employee conducting the transaction, as required by the applicable chief of police or the county's chief law enforcement officer;

(d) The name, date of birth, sex, height, weight, race, ((~~and~~)) address, and telephone number of the person with whom the transaction is made;

(e) A complete description of the property pledged, bought, or consigned, including the brand name, serial number, model number or name, any initials or engraving, size, pattern, and color or stone or stones, and in the case of firearms, the caliber, barrel length, type of action, and whether it is a pistol, rifle, or shotgun;

(f) A copy of the valid sales receipt for any new property in its original packaging involved in a transaction;

(g) The price paid or the amount loaned;

((~~(g)~~)) (h) The type and identifying number of identification used by the person with whom the transaction was made, which shall consist of a valid driver's license or identification card issued by any state or two pieces of identification issued by a governmental agency, one of which shall be descriptive of the person identified. At all times, one piece of current government-issued picture identification will be required; ((~~and~~

~~(h)~~)) (i) The state business license number of the person with whom the transaction was made if the total value of property pledged or consigned by the person with the pawnbroker or secondhand dealer exceeds two hundred fifty dollars in any calendar year; and

(j) The nature of the transaction, a number identifying the transaction, the store identification as designated by the applicable law enforcement agency, or the name and address of the business and the name of the person or employee((~~,~~)) conducting the transaction, and the location of the property.

(2) This record shall at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, be open to the inspection of any commissioned law enforcement officer of the state or any of its political subdivisions, and shall be maintained wherever that business is conducted, or at the secondhand dealer's principal place of business if the transaction took place through the use of an automated kiosk, for three years following the date of the transaction.

**Sec.**  RCW 19.60.066 and 1991 c 355 s 21 and 1991 c 323 s 10 are each reenacted and amended to read as follows:

It is a gross misdemeanor under chapter 9A.20 RCW for:

(1) Any person to remove, alter, or obliterate any manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon an item of personal property that was purchased, consigned, or received in pledge. In addition, an item shall not be accepted for pledge or a secondhand purchase where the manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon an item of personal property has been removed, altered, or obliterated;

(2) Any person to knowingly make, cause, or allow to be made any false entry or misstatement of any material matter in any book, record, or writing required to be kept under this chapter;

(3) Any pawnbroker or secondhand dealer to receive any property from any person under the age of eighteen years, any person under the influence of intoxicating liquor or drugs, or any person known to the pawnbroker or secondhand dealer as having been convicted of burglary, robbery, theft, or possession of or receiving stolen property within the past ten years whether the person is acting in his or her own behalf or as the agent of another;

(4) Any pawnbroker to engage in the business of cashing or selling checks, drafts, money orders, or other commercial paper serving the same purpose unless the pawnbroker complies with the provisions of chapter 31.45 RCW; ((~~or~~))

(5) Any pawnbroker or secondhand dealer to purchase a gift card or store credit unless purchased at face value from an individual named on the gift card or store credit;

(6) Any pawnbroker or secondhand dealer to purchase any item of new property in its original packaging unless accompanied by a copy of a valid sales receipt; or

(7) Any person to violate knowingly any other provision of this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 19.60 RCW to read as follows:

Any person who sells to a pawnbroker or secondhand dealer property with a value in excess of two hundred fifty dollars during any calendar year must:

(1) Obtain a state business license; and

(2) Present a valid state business license to a pawnbroker or secondhand dealer during each transaction.

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