

Session 117 - (2007-2008)

S 0396 General Bill, By Fair, Williams and Jackson

Summary: Pawnbrokers

A BILL TO AMEND SECTION 40-39-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF TERMS RELATED TO THE REGULATION OF PAWBROKERS, SO AS TO ADD DEFINITIONS OF "APPROPRIATE LAW ENFORCEMENT OFFICIAL" AND "BENEFICIAL OWNER", AND TO ARRANGE ALL DEFINITIONS IN ALPHABETICAL ORDER; TO AMEND SECTION 40-39-20, RELATING TO THE REGULATION OF PAWBROKERS, SO AS TO ADD REQUIREMENTS REGARDING BACKGROUND INVESTIGATIONS OF APPLICANTS FOR A CERTIFICATE OF AUTHORITY TO OPERATE A PAWNSHOP, AND TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING A CERTIFICATE OF AUTHORITY AND MISCELLANEOUS PROVISIONS REGARDING THE ISSUANCE OF CERTIFICATES OF AUTHORITY; TO AMEND SECTION 40-39-40, RELATING TO THE PROHIBITION OF UNAUTHORIZED FEES, SO AS TO ALLOW ADDITIONAL, SPECIFIC CHARGES; TO AMEND SECTION 40-39-50, RELATING TO FINANCIAL RESPONSIBILITY REQUIREMENTS, SO AS TO PROVIDE THAT LETTERS OF CREDIT APPROVED BY THE ADMINISTRATOR MAY BE SUBMITTED TO FULFILL FINANCIAL RESPONSIBILITY REQUIREMENTS; TO AMEND SECTION 40-39-100, RELATING TO CHARGES ON LOANS, SO AS TO CHANGE RATE PERIODS FROM A THIRTY-DAY PERIOD TO "A MONTH", TO LIMIT THE AMOUNT A PAWBROKER MAY LOAN TO TWENTY-FIVE THOUSAND DOLLARS, TO FURTHER LIMIT THE AMOUNT OF INTEREST A PAWBROKER MAY CHARGE TO FIFTY CENTS A MONTH FOR EACH TEN DOLLARS LOANED ON THE PORTION OF THE LOAN EXCEEDING TWO THOUSAND DOLLARS, AND TO PROVIDE THAT INTEREST MAY BE PRO RATED AT REDEMPTION BUT NOT AT RENEWALS OR EXTENSIONS, AND TO LIMIT WHEN A PAWBROKER MAY ACCEPT AN INTEREST PAYMENT OR EXTEND A LOAN; TO AMEND SECTION 40-39-150, RELATING TO THE IMPOSITION OF FINES AND PENALTIES FOR VIOLATIONS, SO AS TO PROVIDE THE ADMINISTRATIVE LAW COURT THE DISCRETION TO FINE VIOLATORS UP TO ONE THOUSAND DOLLARS, IMPOSE A SENTENCE OF NOT MORE THAN SIXTY DAYS IMPRISONMENT, OR BOTH; AND TO AMEND PART 4, CHAPTER 3, TITLE 37, RELATING TO LIMITATIONS ON COMMERCIAL LOAN AGREEMENTS; TO ADD SECTION 37-3-414 SO AS TO PROVIDE A LENDER MAY NOT MAKE A SHORT-TERM VEHICLE SECURED LOAN AT RATES EXCEEDING THOSE PERMITTED FOR PAWBROKERS, WHEN THE LOAN AMOUNT IS MORE THAN SIX HUNDRED DOLLARS BUT NOT MORE THAN TWENTY-FIVE THOUSAND DOLLARS.

02/06/07 Senate Introduced and read first time SJ-3

02/06/07 Senate Referred to Committee on Labor, Commerce and Industry SJ-3