**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑39‑85 SO AS TO REQUIRE CERTAIN IDENTIFICATION FOR A PERSON MAKING A PURCHASE FROM A PAWNSHOP, TO REQUIRE PAWNSHOPS TO MAINTAIN RELATED RECORDS IN A CERTAIN MANNER, AND TO IMPOSE RELATED REQUIREMENTS ON THE DEPARTMENT OF CONSUMER AFFAIRS; AND TO AMEND SECTION 40‑39‑10, RELATING TO DEFINITIONS CONCERNING PAWNBROKERS, SO AS TO REVISE THE DEFINITION OF “PLEDGED GOODS” TO INCLUDE GIFT CERTIFICATES AND GIFT CARDS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 39, Title 40 of the 1976 Code is amended by adding:

“Section 40‑39‑85. (A) A pawnbroker may not sell or otherwise transfer title of any item received by the pawnbroker through a pawn transaction unless:

(1) the purchaser or transferee provides a positive form of identification bearing his photograph and an identifying number, which may be a valid:

(a) driver’s license;

(b) other identification provided by the Department of Motor Vehicles;

(c) passport;

(d) military identification issued by the United States federal government; or

(e) South Carolina voter registration card issued pursuant to Section 7‑5‑675; and

(2) the pawnbroker maintains a record of each sale or transfer. This record must be made at the time of the transfer in a manner provided by the Department of Consumer Affairs by regulation. At a minimum, the record must include:

(a) a printed or digital reproduction of the identification provided by the purchaser in item (1);

(b) a telephone number of the purchaser;

(c) a description of the good, article, or thing sold or transferred that is identical to the description provided in the correspondence required under Section 40‑39‑70, and a notation must be made on that corresponding record referencing the record of sale or transfer required by this section;

(d) the date and time of the sale; and

(e) the amount received in payment for the item and the manner of payment, and also a copy of the receipt provided to the purchaser and a copy of a check or credit card slip, if applicable.

(B) The Department of Consumer affairs shall approve each recording system required under this section, and shall develop related requirements and promulgate related regulations as it considers appropriate.”

SECTION 2. Section 40‑39‑10(3) of the 1976 Code is amended to read:

“(3) ‘Pledged goods’ means tangible personal property other than choses in action, title, securities, ~~or~~ printed evidences of indebtedness, or gift certificates or gift cards as defined in Section 39‑1‑55(A), which property is deposited with or otherwise actually delivered into the possession of a pawnbroker in the course of his business in connection with a pawn transaction.”

SECTION 3. This act takes effect upon approval by the Governor.

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