

# House Bill 3607

Sponsored by Representative WHISNANT

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires local government that requires pawnbroker to record transaction that involves selling or purchasing used consumer goods and to deliver record to local police agency to apply requirement to all merchants and businesses within local government's jurisdiction that conduct transactions that involve selling or purchasing used consumer goods.

Becomes operative on 91st day following effective date of Act.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to transactions involving used consumer goods; creating new provisions; amending ORS  
3 726.285; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 726.285 is amended to read:

6 726.285. (1) In addition to **keeping** the register required under ORS 726.280, a pawnbroker shall  
7 record, for each transaction, the date, the name and address of the pledgor, the type and number  
8 of any proof of identification [*presented by*] the pledgor **presents**, a physical description of the  
9 pledgor and an identifying description of the article pledged.

10 (2) The pawnbroker shall deliver each record, or a copy [*thereof*] **of the record**, made under this  
11 section, within three days after the date of the transaction, to the local police agency that has ju-  
12 risdiction over the location at which the pawnbroker has a place of business.

13 (3) **If a local government, as defined in ORS 174.116, by ordinance or otherwise requires**  
14 **a pawnbroker to record a transaction that involves selling or purchasing used consumer**  
15 **goods and deliver the record to a local police agency, the local government shall require all**  
16 **other merchants or other businesses within the local government's jurisdiction that conduct**  
17 **transactions that involve selling or purchasing used consumer goods to record the trans-**  
18 **action as provided in subsection (1) of this section and deliver the record to the local police**  
19 **agency as provided in subsection (2) of this section.**

20 **SECTION 2.** (1) **The amendments to ORS 726.285 by section 1 of this 2011 Act become**  
21 **operative on the 91st day following the effective date of this 2011 Act.**

22 (2) **A local government, as defined in ORS 174.116, may take any action before the oper-**  
23 **ative date specified in subsection (1) of this section that is necessary to enable the local**  
24 **government to exercise, on and after the operative date specified in subsection (1) of this**  
25 **section, all of the duties, functions and powers conferred on the local government by the**  
26 **amendments to ORS 726.285 by section 1 of this 2011 Act.**

27 **SECTION 3.** **This 2011 Act being necessary for the immediate preservation of the public**  
28 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
29 **on its passage.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

