

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 28

Short Title: Electronic Pawn & Metals Database. (Public)

Sponsors: Senator Randleman (Primary Sponsor).

Referred to: Rules and Operations of the Senate

February 2, 2017

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT PAWNBROKERS, CURRENCY CONVERTERS, PRECIOUS METALS DEALERS, AND SECONDARY METALS RECYCLERS REPORT INFORMATION ABOUT PAWN TRANSACTIONS AND PURCHASES TO AN ELECTRONIC DATABASE THAT IS ACCESSIBLE TO LAW ENFORCEMENT OFFICERS AND AGENCIES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 3D of Chapter 147 of the General Statutes is amended by adding a new section to read:

"§ 147-33.124. Contract for electronic pawn and metals database.

(a) Contract for Database Required. – The Office of Information Technology Services shall contract with a third party for the operation of an electronic database that can be used to store and access information reported to it pursuant to G.S. 66-391(f), 66-392(d), 66-410(f), and 66-421(c). The database shall do all of the following:

- (1) Allow pawnbrokers, currency converters, precious metals dealers, and secondary metals recyclers to submit information to the database pursuant to G.S. 66-391(f), 66-392(d), 66-410(f), and 66-421(c) at no cost to the reporting entity.
- (2) Allow North Carolina law enforcement officers and agencies to access the database via the Internet.
- (3) Ensure that the information contained in the database is secure and accessible only by law enforcement officers and agencies.
- (4) Ensure that the State maintains ownership and control of the data that is entered into the database.

(b) Information in Database is Not Public. – The information contained in the database shall not be a public record under Chapter 132 of the General Statutes."

SECTION 2. G.S. 66-391 is amended by adding a new subsection to read:

"(f) A pawnbroker shall enter the information recorded on each pawn ticket pursuant to subsection (b) of this section into the electronic database contracted for pursuant to G.S. 147-33.124 within 12 hours of the pawn transaction or purchase. Submissions containing incomplete information do not comply with this subsection."

SECTION 3. G.S. 66-392 is amended by adding a new subsection to read:

"(d) A currency converter shall enter the information recorded for each purchase pursuant to subsection (a) of this section into the electronic database contracted for pursuant to G.S. 147-33.124 within 12 hours of the purchase. Submissions containing incomplete information do not comply with this subsection."



1 **SECTION 4.** G.S. 66-410 is amended by adding a new subsection to read:

2 "(f) A dealer shall enter the information recorded for each precious metals transaction
 3 pursuant to subsection (a) of this section into the electronic database contracted for pursuant to
 4 G.S. 147-33.124 within 12 hours of the precious metals transaction. Submissions containing
 5 incomplete information do not comply with this subsection."

6 **SECTION 5.** G.S. 66-421 is amended by adding a new subsection to read:

7 "(c) A secondary metals recycler shall enter the information recorded for each purchase
 8 transaction pursuant to subsection (b) of this section into the electronic database contracted for
 9 pursuant to G.S. 147-33.124 within 12 hours of the purchase transaction. Submissions containing
 10 incomplete information do not comply with this subsection."

11 **SECTION 6.** Article 45 of Chapter 66 of the General Statutes is amended by adding a
 12 new Part to read:

13 "Part 4. Miscellaneous Provisions.

14 "§ 66-432. Use of database not required under certain circumstances.

15 Nothing in this Article shall be construed to require that information be entered into the
 16 electronic database contracted for pursuant to G.S. 147-33.124 when any of the following apply:

- 17 (1) The database is offline or otherwise inaccessible. When this occurs, an entity
 18 that would otherwise be required under this Article to enter information into the
 19 database within 12 hours of a transaction shall have 36 hours from the time that
 20 the database becomes accessible again to enter the information into the
 21 database.
- 22 (2) An entity that would otherwise be required under this Article to enter
 23 information into the database lacks the technological means to access the
 24 database."

25 **SECTION 7.** This act becomes effective October 1, 2017.