

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 635

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

Sponsors: Representatives Riddell and Ross (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary III

April 10, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THAT PAWNBROKERS, CURRENCY CONVERTERS,
3 PRECIOUS METALS DEALERS, AND SECONDARY METALS RECYCLERS
4 REPORT INFORMATION ABOUT PAWN TRANSACTIONS AND PURCHASES TO
5 AN ELECTRONIC DATABASE THAT IS ACCESSIBLE TO LAW ENFORCEMENT
6 OFFICERS AND AGENCIES.

7 The General Assembly of North Carolina enacts:

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

10 "**§ 147-33.124. Contract for electronic pawn and metals database.**

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

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

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

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

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

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

33 "(d) A currency converter shall enter the information recorded for each purchase
34 pursuant to subsection (a) of this section into the electronic database contracted for pursuant to



1 G.S. 147-33.124 within 12 hours of the purchase. Submissions containing incomplete
2 information do not comply with this subsection."

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

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

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

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

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

15 "Part 4. Miscellaneous Provisions.

16 "**§ 66-432. Use of database not required under certain circumstances.**

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

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

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