

By: Solomons

H.B. No. 1839

A BILL TO BE ENTITLED

AN ACT

1
2 relating to submission of certain information to a law enforcement
3 agency by a pawnbroker.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter E, Chapter 371, Finance Code, is
6 amended by adding Section 371.209 to read as follows:

7 Sec. 371.209 LAW ENFORCEMENT REPORTING. (a) Within 24
8 hours of a request from a law enforcement agency, a pawnshop shall
9 make available information on a pawn ticket as described in Section
10 371.157 electronically, unless the law enforcement agency
11 specifically requests a paper format.

12 (b) Information reported electronically under subsection
13 (a) shall be transmitted by a method acceptable to both the pawnshop
14 and the law enforcement agency, but should meet the following
15 minimum standards:

16 (1) the transmission be made using a 3.5 inch reusable
17 diskette, CD-ROM, remote access to secure sites maintained by law
18 enforcement, or remote access to secure bulletin boards or web
19 sites;

20 (2) the information be provided in comma-delimited
21 ASCII text with field titles as the first records of the
22 transmission;

23 (3) the information be sent in batches no smaller than
24 the daily activity;

1 (4) the information include all purchase and pawn
2 transactions in a single transmission; and

3 (5) the law enforcement agency not be given direct
4 access to a pawnshop's computer system.

5 (c) A Law Enforcement Agency who receives information under
6 Subsection (a) may only use the information for the purposes of
7 investigating goods which have been stolen, embezzled, converted,
8 or otherwise wrongfully appropriated or pledged against the will of
9 the owner of the goods or a person holding a perfected security
10 interest in the goods.

11 (d) Information received by a law enforcement agency under
12 subsection (a) that does not relate directly to an investigation
13 described in subsection (c) must be disposed of or destroyed within
14 seven days of receipt.

15 SECTION 2. This Act takes effect September 1, 2004.