

HOUSE BILL No. 5046

July 25, 1991, Introduced by Rep. Clack and referred to the Committee on State Affairs.

A bill to amend the title and sections 1 and 2 of Act No. 231 of the Public Acts of 1945, entitled

"An act to prescribe additional regulations and requirements for pawnbrokers, secondhand dealers and junk dealers; to provide for the taking of fingerprints and the making of reports to enforcement officers; to prescribe penalties for the violation of the provisions of this act; and to declare the effect of this act,"

being sections 445.471 and 445.472 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 1 and 2 of Act No. 231 of
2 the Public Acts of 1945, being sections 445.471 and 445.472 of
3 the Michigan Compiled Laws, are amended to read as follows:

4 TITLE

5 An act to prescribe additional regulations and requirements
6 for ~~pawnbrokers,~~ secondhand dealers and junk dealers; to
7 provide for the taking of fingerprints and the making of reports

1 to enforcement officers; TO PRESCRIBE CERTAIN POWERS AND DUTIES
 2 FOR CERTAIN LOCAL GOVERNMENTAL AGENCIES AND CERTAIN STATE
 3 AGENCIES; to prescribe penalties for the violation of the provi-
 4 sions of this act; and to declare the effect of this act.

5 Sec. 1. (1) This act shall be construed as supplementing
 6 the laws of this state and city and village ordinances and
 7 charters regulating ~~pawnbrokers,~~ secondhand dealers and junk
 8 dealers.

9 (2) The term "secondhand dealer" or "junk dealer" as used in
 10 this act shall mean any ~~person~~ INDIVIDUAL, PARTNERSHIP,
 11 ASSOCIATION, corporation, OR OTHER LEGAL ENTITY or member or mem-
 12 bers of a ~~co partnership or firm~~ LEGAL ENTITY whose principal
 13 business is that of purchasing, storing, selling, exchanging, and
 14 receiving ~~second hand~~ SECONDHAND personal property of any kind
 15 or description. ~~The term "pawnbroker" as used in this act shall~~
 16 ~~mean any person, corporation, or member or members of a~~
 17 ~~co partnership or firm, who loans money on deposit or pledge of~~
 18 ~~personal property, or other valuable thing, other than securities~~
 19 ~~or printed evidence of indebtedness, or who deals in the purchas-~~
 20 ~~ing of personal property or other valuable thing on condition of~~
 21 ~~selling the same back again at a stipulated price.~~

22 Sec. 2. At the same time any ~~pawnbroker,~~ secondhand
 23 dealer or junk dealer in this state ~~shall receive any article of~~
 24 ~~personal property, or other valuable thing, by way of pledge or~~
 25 ~~pawn, or shall acquire~~ ACQUIRES or ~~purchase~~ PURCHASES any
 26 article of personal property ~~,~~ or other valuable thing, except
 27 new articles, wares, or merchandise purchased at wholesale from

1 manufacturers, wholesale distributors, or jobbers for retail sale
 2 to customers, ~~except also~~ OR motor vehicles, old rags, waste
 3 paper, books, magazines, tapestries, antiques, and household fur-
 4 niture, he OR SHE shall take in duplicate the legible imprint of
 5 the right thumb of the person from whom such property was
 6 received, or if that ~~be~~ IS not possible, of the left thumb or
 7 some other finger of ~~such~~ THE person. ~~Such~~ THE fingerprint
 8 shall be taken under ~~such~~ rules and regulations ~~as~~ prescribed
 9 by the ~~commissioner~~ DEPARTMENT of ~~the Michigan~~ state police.
 10 One copy shall be forwarded within 48 hours, together with a
 11 statement of the nature of the property received, to the chief of
 12 police or chief ~~police~~ LAW ENFORCEMENT officer ~~of~~ FOR the
 13 city in which the place of business of ~~such pawnbroker,~~ THE
 14 secondhand dealer or junk dealer is located, or to the sheriff of
 15 the county in case such place of business ~~shall be~~ IS located
 16 outside the corporate limits of any city, together with a state-
 17 ment of the nature of the property received. The second copy
 18 shall be forwarded within 48 hours, together with a statement of
 19 the nature of the property received, to the ~~commissioner~~
 20 DEPARTMENT of ~~the Michigan~~ state police. ~~in East Lansing.~~

21 Section 2. Section 3 of Act No. 231 of the Public Acts of
 22 1945, being section 445.473 of the Michigan Compiled Laws, is
 23 repealed.

24 Section 3. This amendatory act shall not take effect unless
 25 Senate Bill No. ____ or House Bill No. 5045 (request
 26 no. 03308'91) of the 86th Legislature is enacted into law.