

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 293

Introduced by Avery, 28.

Read first time January 12, 2011

Committee: Judiciary

A BILL

- 1 FOR AN ACT relating to pawnbrokers and junk dealers; to amend section
- 2 69-204, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to reclaiming property by an owner;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 69-204, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 69-204 (1) All persons who shall be engaged in the
4 business of pawnbrokers, dealers in secondhand goods, or junk
5 dealers, shall keep a ledger and complete a card, to be furnished by
6 the city or village, on which shall be legibly written in ink, at the
7 time of any loan or purchase, the following information:

8 ~~(1)~~ (a) The date of the loan or purchase;

9 ~~(2)~~ (b) The name of the person from whom the property is
10 purchased or received, his or her signature, date of birth, and
11 driver's license number or other means of identification;

12 ~~(3)~~ (c) A full and accurate description of the property
13 purchased or received, including any manufacturer's identifying
14 insignia or serial number;

15 ~~(4)~~ (d) The time when any loan becomes due;

16 ~~(5)~~ (e) The amount of purchase money, or the amount lent
17 and any loan charges, for each item; and

18 ~~(6)~~ (f) The identification and signature of the clerk or
19 agent for the business who handled the transaction.

20 (2) Entries shall not in any manner be erased,
21 obliterated, or defaced. The person receiving a loan or selling
22 property shall receive at no charge a plain written or printed ticket
23 for the loan, or a plain written or printed receipt for the articles
24 sold, containing a copy of the entries required by this section.

25 (3) Every pawnbroker or dealer, or employee of a

1 pawnbroker or dealer, shall admit to the pawnbroker's or dealer's
2 premises at any reasonable time during normal business hours any law
3 enforcement officer for the purpose of examining any property and
4 records on the premises, and shall allow such officer to place
5 restrictions on the disposition of any property for which a
6 reasonable belief exists that it has been stolen. Any person claiming
7 an ownership interest in property received by a pawnbroker or dealer
8 for which a reasonable belief exists that such property has been
9 stolen may recover such property (a) as provided by sections 25-1093
10 to 25-10,110 or (b) if such person claiming an ownership interest has
11 an accurate description or record of the property, including a
12 manufacturer's identifying insignia, serial number, or unique
13 markings or a police report affirming the theft of such property, and
14 presents such information to the pawnbroker or dealer, such person
15 shall recover the property from the pawnbroker or dealer at a price
16 not to exceed the financial ownership interest of the pawnbroker or
17 dealer.

18 Sec. 2. Original section 69-204, Reissue Revised Statutes
19 of Nebraska, is repealed.