

Fifty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2370

Introduced by

Senators Lee, Fischer, Lyson

Representatives Aarsvold, Grosz, Winrich

1 A BILL for an Act to create and enact a new chapter to title 51 of the North Dakota Century  
2 Code, relating to pawnshops and certain secondhand stores; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new chapter to title 51 of the North Dakota Century Code is created and  
5 enacted as follows:

6 **Definitions.** In this chapter:

- 7 1. "Pawnshop" means a business in which money is loaned at interest in exchange  
8 for personal property left as security.
- 9 2. "Secondhand store" means a business that buys and sells previously used  
10 merchandise and the majority of the items purchased or sold are purchased or  
11 sold for consideration exceeding fifty dollars per item. The term does not include a  
12 business that deals mainly in used clothing or sports items or memorabilia.

13 **Identification and recordkeeping.**

- 14 1. If a person working in a pawnshop or secondhand store takes a pledge or buys an  
15 item for consideration exceeding fifty dollars, that person shall:
- 16 a. Require the pledgor or seller to present two forms of identification, including  
17 one photograph identification.
- 18 b. Record the pledgor's or seller's social security number or motor vehicle  
19 operator's license identification number, and record the consideration given.
- 20 c. Require the pledgor or seller to sign the form on which the information  
21 required under subdivision b is recorded.
- 22 2. A person working in a pawnshop or secondhand store may not take in pledge or  
23 buy personal property exceeding fifty dollars from anyone under eighteen years of  
24 age.

1           3.    Before a person working in a pawnshop or secondhand store may sell an item for  
2                    consideration exceeding fifty dollars, the person shall obtain the name and address  
3                    of the buyer and verify the buyer's name through one form of picture identification.

4            **Inspection of records.** Any record required to be kept by this chapter is open to  
5 inspection by law enforcement officers during regular business hours.

6            **Application in home rule cities and counties.** A home rule charter or ordinance  
7 implementing a home rule charter of a city or county may not be less stringent than the  
8 requirements of this chapter.

9            **Penalty.** A person who willfully violates this chapter is guilty of an infraction.