

Regular Session, 2012

SENATE BILL NO. 95

BY SENATOR MORRELL

PROBATION/PAROLE. Authorizes the division of probation and parole to access certain information maintained by pawnbrokers. (8/1/12)

AN ACT

To amend and reenact the introductory paragraph of R.S. 37:1798(A)(1), relative to information furnished to police or sheriff; requires a pawnbroker to provide all transactional information obtained to the Department of Public Safety and Corrections, division of probation and parole; to provide relative to the means for providing transactional information; to provide with respect to time delays for delivery of certain information; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 37:1798(A)(1) is hereby amended and reenacted to read as follows:

§1798. Information furnished to police or sheriff

A. (1) Every pawnbroker shall provide all transactional information obtained pursuant to R.S. 37:1796 to the chief of police of the city or town in which he is doing business or to the sheriff of the parish in which he is doing business, **and, if requested, to the Department of Public Safety and Corrections, division of probation and parole,** on a daily basis by the end of the next business day or on such less frequent basis as is required by the chief of police or sheriff. The means for

1 providing the transactional information required under this Section shall be selected
2 by the chief of police or sheriff and shall be one of the following:

3 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

Present law requires every pawnbroker to provide all transactional information obtained pursuant to present law to the chief of police of the city or town in which he is doing business or the to the sheriff of the parish in which he is doing business, on a daily basis by the end of the next business day or on such less frequent basis as is required by the chief of police or sheriff.

Present law provides that means for providing the transactional information required pursuant to present law shall be selected by the chief of police or sheriff and shall be one of the following:

- (a) By electronic transmission if the pawnbroker has the means available to make transmissions in electronic form.
- (b) By placing in the United States mail.
- (c) By sending a facsimile.

Present law provides that in the event transactional information is transmitted electronically pursuant to present law, the appropriate law enforcement official may, for purposes of an investigation of a crime relating to a particular pawn transaction, request the pawnbroker to mail or fax such official the personally identifiable information relating to such transaction under investigation.

Present law provides that the pawnbroker shall deliver the personally identifiable information relating to the identified transaction to the appropriate law enforcement official within 24 hours of the request.

Present law provides that in the event the pawnbroker transfers information in printed form pursuant to present law, the pawnbroker shall not also be required to transmit such information in electronic form.

Proposed law retains present law and requires a pawnbroker to provide also transactional information obtained pursuant to present law to the Department of Public Safety and Corrections, division of probation and parole.

Effective August 1, 2012.

(Amends R.S. 37:1798(A)(1)(intro para))