

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 606

S.P. 198

February 8, 2007

An Act To Protect Licensed Pawnbrokers

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator ROTUNDO of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 25 MRSA §3508** is enacted to read:

3 **§3508. Pawnbrokers**

4 Notwithstanding the provisions of this chapter, unless written consent is obtained a
5 law enforcement officer may not take possession of suspected stolen property in the
6 possession of a pawnbroker licensed under Title 30-A, section 3961 without a warrant
7 clearly describing the property. If a law enforcement officer suspects that a pawnbroker
8 is in possession of suspected stolen property, the officer must show the pawnbroker a
9 copy of the police report that describes the stolen property with particularity, request that
10 the pawnbroker place a hold on the property until a warrant is obtained, return to the
11 pawnbroker with a warrant that clearly describes the property to be seized and give the
12 pawnbroker a copy of the warrant and a receipt for the property with a statement that the
13 property will be held for a court proceeding to determine the ownership of the property.

14 **SUMMARY**

15 This bill prohibits a law enforcement officer from seizing suspected stolen property
16 from a pawnbroker without a warrant. A law enforcement officer who suspects that a
17 pawnbroker is in possession of stolen property must show the pawnbroker the police
18 report describing the stolen property, ask the pawnbroker to place the property on hold,
19 return with a warrant that describes the property and upon seizure of the property give the
20 pawnbroker a copy of the warrant and a receipt for the property along with a statement
21 that the property will be held for determination by the court as to ownership.