

Senate Bill 393

By: Senators Chance of the 16th, Thompson of the 33rd, Tarver of the 22nd and Staton of the 18th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Sections 44-12-135 and 44-12-136 of the Official Code of Georgia
2 Annotated, relating to the effect of pawnbroker general laws on local laws and the
3 supervision of pawnbrokers by municipalities, respectively, so as to restrict local
4 governments' power to require the payment of any fee for pawnbroker transactions or restrict
5 the hours of operation of pawnbrokers; to provide for related matters; to provide for an
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 44-12-135 of the Official Code of Georgia Annotated, relating to the effect of
10 pawnbroker general laws on local laws, is revised as follows:

11 "44-12-135.

12 Nothing in this part shall supersede existing local laws nor relieve a pawnbroker from the
13 necessity of complying with them. The requirements of local laws shall be construed as
14 cumulative to this part. However, no municipality, county, or local government may enact
15 local laws or ordinances that require the payment of any fee or tax related to a pawn
16 transaction or purchase or restrict the hours of operations of a pawnshop other than
17 between the hours of 12:00 A.M. and 6 A.M."

18 **SECTION 2.**

19 Code Section 44-12-136 of the Official Code of Georgia Annotated, relating to the
20 supervision of pawnbrokers by municipalities, is revised as follows:

21 "44-12-136.

22 Municipal authorities may license pawnbrokers, define their powers and privileges by
23 ordinance, impose taxes upon them, revoke their licenses, and exercise such general
24 supervision as will ensure fair dealing between the pawnbroker and his or her customers,
25 except as expressly prohibited in this part."

1 **SECTION 3.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 4.**

5 All laws and parts of laws in conflict with this Act are repealed.