

House Bill 110

By: Representatives Bonner of the 73rd, Ballard of the 147th, Gullett of the 19th, Clark of the 100th, Westbrook of the 163rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 5 of Article 3 of Chapter 12 of Title 44 of the Official Code of Georgia
2 Annotated, relating to pawnbrokers, so as to provide certain protections for current military
3 members and related persons; to prohibit pawnbrokers from making title pawns with covered
4 borrowers; to provide a penalty for violations; to provide for a definition; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 5 of Article 3 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated,
9 relating to pawnbrokers, is amended in Code Section 44-12-137, relating to prohibited acts,
10 penalties, presumption as to pledgor, and replacement or damaged goods, by adding a new
11 subsection to read as follows:

12 "(c)(1) As used in this subsection, the term 'covered borrower' shall have the same
13 meaning as provided in 32 C.F.R. Section 232.3.

14 (2) No pawnbroker shall conduct a pawn transaction involving a motor vehicle or motor
15 vehicle certificate of title with a covered borrower.

16 (3) Any pawnbroker that knowingly conducts a pawn transaction in violation of
17 paragraph (2) of this subsection shall be subject to a civil penalty of four times the
18 principal amount advanced in such pawn transaction. Such civil penalty shall be
19 recoverable in a civil action brought in any court of competent jurisdiction by the
20 Attorney General or any district attorney."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.