

HOUSE BILL NO. 292

INTRODUCED BY R. BRODEHL

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PAWNBROKERS OR JUNK DEALERS TO NOTIFY LAW ENFORCEMENT WHEN A FIREARM IS TO BE PAWNED OR PURCHASED BY A PAWNBROKER OR JUNK DEALER; AND REQUIRING LAW ENFORCEMENT TO CONDUCT A SEARCH OF THE NATIONAL CRIME INFORMATION CENTER DATABASE TO DETERMINE IF THE FIREARM HAS BEEN REPORTED AS STOLEN."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Pawnbroker to ensure firearm not stolen. Before a pawnbroker or junk

dealer accepts a firearm as part of a pawn transaction or purchases a firearm, the pawnbroker or junk dealer shall:

(1) notify a peace officer employed by the city, town, or county where the pawnshop or junk shop is located of the receipt of the firearm and provide all pertinent information related to the firearm, including:

- (a) the date the firearm was brought to the pawnshop or junk shop;
- (b) the serial number of the firearm; and
- (c) a description of the firearm.

(2) The peace officer or a law enforcement agency shall conduct a search of the national crime information center database to determine whether the firearm is stolen. The search must be completed in 10 minutes.

(3) If the peace officer or law enforcement agency determines that the firearm is stolen, the procedures found in 46-5-212 must be followed.

(4) A pawnshop or junk shop shall post a large, clearly readable sign that is visible as patrons enter the pawnshop or junk shop advising patrons that all firearms to be pawned or to be purchased by the pawnbroker or junk dealer will be checked by the peace officer or law enforcement agency using the national crime information center database to determine whether the firearms are stolen.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an



1 integral part of Title 31, chapter 1, part 4, and the provisions of Title 31, chapter 1, part 4, apply to [section 1].

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