



The State of South Carolina Department of Consumer Affairs

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Carri Grube Lybarker
Administrator/
Consumer Advocate

Celebrating Over 40 Years of Public Service

DATE: June 28, 2018
TO: Pawnbroker Licensees
FROM: Carri Grube Lybarker 
RE: PAWBROKER LICENSING AND LAW CHANGES

WHY FILE ONLINE?

- ✓ It's faster
- ✓ It's available 24/7
- ✓ You can pay renewal fees using a credit card

The South Carolina Department of Consumer Affairs ("the Department") is implementing several updates and changes to the Pawnbroker program, including: the ability to file online, amendments to applicable law, and new reporting requirements for pawnbrokers. If you have any questions, please contact:

- Barbara Faircloth, Senior Licensing Examiner / bfaircloth@scconsumer.gov / (803)734-4249
- Deborah Lockard, Licensing Supervisor / dfriday@scconsumer.gov / (803)734-4209

Online Licensing System Available

The Department is excited to announce its online licensing system is available for all Pawnbroker applications. To learn about the Licensure Gateway, you can read user guides or watch helpful YouTube videos available on our website. Please see the enclosed "Preparing to File Online" for more information.

The Department has extended the renewal period for Pawnbroker Certificates of Authority to allow licensees to take advantage of the new system. **Renewal forms and fees must be submitted online or postmarked by July 16, 2018.**

Amendments to the South Carolina Pawnbrokers Act ("Pawnbrokers Act")

The Legislature amended the Pawnbrokers Act during the 2018 legislative session to provide further protections for consumers in South Carolina. One of the amendments requires pawnbrokers to electronically transfer records of all pledged items to a Department-approved database accessible by law enforcement. The Department is currently reviewing database options and will make a decision very soon. We will notify pawnbrokers of our decision early to mid-July to provide licensees an opportunity to make arrangements before the August 15th reporting requirement deadline. Please review the enclosed press release for more information on the other changes to the Pawnbrokers Act.

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NEWS FROM SCDCA

SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS

Carri Grube Lybarker, Administrator

FOR IMMEDIATE RELEASE

June 18, 2018 | Release #18-010

Contact: Juliana Harris, (803) 734-4296

Legislative Update: Pawnbrokers Act Amendments

COLUMBIA, S.C. – The South Carolina Department of Consumer Affairs (SCDCA) is announcing changes made during the 2018 legislative session to state pawnbroker laws.

Senate Bill 810 amends the South Carolina Pawnbrokers Act to provide further protections for consumers within South Carolina. These changes include additional recordkeeping requirements for the state’s approximate 200 pawnbrokers, revised procedures for law enforcement, and increased penalties for certain acts by pawnbrokers. The new law becomes **effective August 15, 2018**, and makes the following changes:

- **Requires Digital Images of Pawned Items.** Pawnbrokers are to keep a record of each loan or purchase made, which must include a digital photograph of the item being pawned, pledged, or purchased.
- **Requires Database for Electronic Reporting.** Pawnbrokers must electronically transfer records of all pledged items to an SCDCA approved database that will be accessible by law enforcement.
- **Revises Procedures for Hold Orders.** Law enforcement may take possession of a pawned item believed to be stolen until the completion of a criminal investigation. Law enforcement must hold the item for 10 days before releasing the item to the true owner. If no true owner is identified, the item will be returned to the pawnbroker.
- **Provides Penalties for Intentional Violations.** Pawnbrokers who willfully fail to keep their records open to court officials, law enforcement, or SCDCA will be guilty of a misdemeanor and may be subject to a \$500 fine, imprisoned for 30 days or less, or both.

The Department is currently reviewing database options and soliciting recommendations and feedback from law enforcement and pawnbrokers. A database determination will be made no later than early next month to provide pawnbrokers with the opportunity to make appropriate arrangements to meet the August 15th reporting requirement deadline.

About SCDCA

The South Carolina Department of Consumer Affairs aims to protect consumers from inequities in the marketplace through advocacy, complaint mediation, enforcement and education. To file a complaint or get information on consumer issues, visit www.consumer.sc.gov or call toll-free, 1-800-922-1594.

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Preparing to File Online

Access this page by visiting www.consumer.sc.gov and clicking on "Online Licensing" at the top of the page.

The screenshot shows the South Carolina Department of Consumer Affairs website. The header includes the department's name and logo. A navigation menu at the top has 'Online Licensing' highlighted with a red box. The main content area is titled 'Online Licensing' and contains instructions for users. A sidebar on the left lists various links like 'ABOUT US', 'BUSINESS RESOURCES/LAWS', and 'CONSUMER RESOURCES'. On the right, there is a 'FILE ONLINE' button and contact information. A red arrow points from the 'FILE ONLINE' button to a text box at the bottom right. Another red arrow points from the 'Online Licensing' menu item to a text box at the top left. A third red arrow points from the 'Pawnbrokers' link to a text box at the bottom left.

If you want to download the new paper forms or review information about the Pawnbrokers Act, click on Pawnbrokers.

In order to file online, you must first register and become an Organization Administrator. Please review the User Guide for Organization Administrators for instructions.

When you are ready to file, click "File Online".