
A BILL FOR AN ACT

RELATING TO RECORDKEEPING.

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

1 SECTION 1. In 2022, the thirty-first legislature enacted
2 House Bill 1991, House Draft 2, Senate Draft 2, Committee
3 Draft 1, and former governor David Ige signed Act 108 into law,
4 which amended section 486M-2, Hawaii Revised Statutes, and
5 required pawnbrokers and secondhand dealers, within counties
6 that have a population base of five hundred thousand or more, to
7 submit their records of transaction electronically to a database
8 at the discretion of the chief of police for that county.

9 The legislature finds that chapters 445 and 486M, Hawaii
10 Revised Statutes, are not definitive in regard to the
11 recordkeeping requirements for secondhand dealers, which they
12 are required to retain at their business.

13 The legislature also finds that electronic submissions and
14 filings provide a more effective system to streamline, simplify,
15 and modernize business management, reduce unnecessary paper and
16 electronic waste, and are less intrusive on the environment.



1 The legislature also finds that pawnbrokers and secondhand
2 dealers stimulate local business economies by reusing or
3 recycling unwanted articles that have value. If these articles
4 of resale are not properly marked, they may ultimately end up in
5 the waste management system.

6 The legislature intends to support businesses that reuse or
7 recycle articles, such as pawnbrokers and secondhand dealers,
8 without the undue burden of the responsibility of retaining
9 records of transaction, whether electronic or paper form, for an
10 unspecified amount of time.

11 The legislature intends to establish a recordkeeping
12 requirement for secondhand dealers and records they are required
13 to retain at their place of business.

14 Accordingly, the purpose of this Act is to amend,
15 standardize, and codify existing statutory requirements within
16 chapter 445, Hawaii Revised Statutes, for pawnbrokers and
17 records they are required to retain at their place of business,
18 establishing a reasonable time period in which law enforcement
19 may pursue criminal investigations and take enforcement actions
20 without imposing an undue burden on pawnbrokers and secondhand



1 dealers by requiring retention of documents that are unnecessary
2 and wasteful.

3 SECTION 2. Chapter 445, Hawaii Revised Statutes, is
4 amended by adding a new section to part VII to be appropriately
5 designated and to read as follows:

6 "§445- Recordkeeping. A record of all secondhand
7 transactions shall be kept on the secondhand dealer's premises
8 and open to inspection at any time by the treasurer, chief of
9 police, or the treasurer or chief of police's authorized
10 representative, for a period of two years after the date of
11 sale."

12 SECTION 3. Section 445-134.17, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "[~~§~~§445-134.17[~~§~~] **Recordkeeping.** A [~~copy~~] record of all
15 pawn transactions shall be kept on the pawnshop premises and
16 open to inspection at any time by the [~~proper authorities~~]
17 treasurer, chief of police, or the treasurer or chief of
18 police's authorized representative, for a period of [~~one year~~]
19 two years after the maturity date."



1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect on July 1, 2077.



Report Title:

Honolulu Police Department Package; Pawnbrokers; Secondhand Dealers; Recordkeeping

Description:

Establishes recordkeeping requirements for secondhand dealers, requiring records to be retained for two years from the date of sale. Amends and standardizes recordkeeping requirements for pawnbrokers, requiring records to be retained for two years from the date of maturity. Effective 7/1/2077. (SD1)

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