

SUBJECT: Requiring notice of new pawn shops in Dallas and Harris counties

COMMITTEE: Financial Institutions — favorable, without amendment

VOTE: 5 ayes — Marchant, Carona, Elkins, Hudson, Patterson

0 nays

1 present, not voting — Gutierrez

3 absent — Giddings, Grusendorf, Romo

SENATE VOTE: On final passage, April 10 — 31-0

WITNESSES: None

DIGEST: SB 132 would require that applicants for a pawnshop license in Dallas and Harris counties publish notice of the intent to open a pawnshop at their expense in two consecutive issues of the newspaper published or circulated in the place the business would be located.

The notice would have to be printed in 10-point boldface type and include the address of the proposed pawnshop, the name of the applicant Partnerships would have to include the name of each member and corporations, the name and title of each officer.

An applicant who does not hold another pawnshop license would be required to post a prominent sign, the size and content specified by the consumer credit commissioner, outside the intended business location notifying the public about the proposed pawnshop. The commissioner could require the sign additionally to be in a language other than English. The applicant would be required to pay for the sign.

The commissioner would be required to notify the local county judge, mayor, state representative and state senator of the application to open a pawnshop.

The commissioner would be required to give any person who was notified and would be affected by the opening of the pawnshop to be heard at a public hearing. The commissioner would be required to consider the public safety, health and general welfare of the community that would be affected by the pawnshop in granting a pawnshop license.

The commissioner could make rules regarding publishing the notices.

The bill would take effect September 1, 1995.

**SUPPORTERS  
SAY:**

SB 132 would assure that a community is aware that a pawnshop may open in the area and would allow residents the opportunity to be heard on the issue prior to a license being granted. Residents deserve the right to know that a business of this type may be opening nearby.

**OPPONENTS  
SAY:**

Pawnshops are legitimate businesses and should not have to undergo any additional public scrutiny before a license is issued. The commissioner is already required to investigate and notify all local law enforcement officials of the persons applying for the pawnshop license so they can investigate and respond to the commissioner before a license is granted.

**OTHER  
OPPONENTS  
SAY:**

If the bill proposes a good idea, than it should be applied statewide, not just in only two counties.