

CHAPTER 249

GOVERNMENT - LOCAL

HOUSE BILL 22-1324

BY REPRESENTATIVE(S) Bennett and Lynch, Snyder;
also SENATOR(S) Woodward and Rodriguez, Kolker.

AN ACT**CONCERNING A MODIFICATION TO THE DEFINITION OF PAWNBROKER.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) In 2019, in *Pro's Closet, Inc. v. City of Boulder*, 2019 COA 128, the Colorado court of appeals interpreted the definition of pawnbroker under Colorado law and held that the definition included both persons who regularly engage in the business of making contracts for purchase and persons who regularly engage in the business of making purchase transactions;

(b) The act changes the definition of pawnbroker so that a person who is regularly engaged in the business of making purchase transactions is a pawnbroker only if he or she also regularly or occasionally engages in the business of making contracts for purchase; and

(c) Under the definition of pawnbroker in the act, a person who regularly engages in the business of making purchase transactions, but does not engage in the business of making contracts for purchase, is not a pawnbroker.

SECTION 2. In Colorado Revised Statutes, 29-11.9-101, **amend** (7) as follows:

29-11.9-101. Definitions. As used in this article 11.9, unless the context otherwise requires:

(7) "Pawnbroker" means a person WHO, IN THE COURSE OF HIS OR HER BUSINESS,

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

IS regularly engaged in the business of making contracts for purchase or A PERSON WHO, IN THE COURSE OF HIS OR HER BUSINESS, IS BOTH REGULARLY ENGAGED IN THE BUSINESS OF MAKING purchase transactions ~~in the course of his or her business~~ AND ALSO REGULARLY OR OCCASIONALLY MAKES CONTRACTS FOR PURCHASE.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: May 26, 2022