

SENATE BILL NO. 238
INTRODUCED BY CRIPPEN

IN THE SENATE

JANUARY 22, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
FEBRUARY 4, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 5, 1993	PRINTING REPORT.
FEBRUARY 6, 1993	SECOND READING, DO PASS.
FEBRUARY 8, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 9, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 17, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 27, 1993	SECOND READING, CONCURRED IN.
MARCH 30, 1993	THIRD READING, CONCURRED IN. AYES, 93; NOES, 7.
MARCH 31, 1993	RETURNED TO SENATE.

IN THE SENATE

MARCH 31, 1993	RECEIVED FROM HOUSE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 Senate BILL NO. 238

2 INTRODUCED BY Clyde

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING CERTAIN
5 WARRANT AND BOND REQUIREMENTS FOR OBTAINING POSSIBLE STOLEN
6 PROPERTY FROM A PAWNBROKER OR DEALER; AMENDING SECTION
7 46-5-212, MCA; AND REPEALING SECTIONS 31-1-403, 31-1-404,
8 31-1-405, AND 31-1-406, MCA."

9

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

11 **Section 1.** Section 46-5-212, MCA, is amended to read:

12 **"46-5-212. Pawnbroker to surrender stolen property.**
13 **When a peace officer informs a pawnbroker or dealer who buys**
14 **and sells secondhand merchandise that property pawned to him**
15 **or purchased by him the pawnbroker or dealer is stolen**
16 **property, as defined in 45-2-101, the pawnbroker or dealer**
17 **who buys and sells secondhand merchandise shall hold the**
18 **property for 30 days and shall surrender the property to the**
19 **peace officer upon--service-of-a-search-warrant-by-a-peace**
20 **officer-pursuant-to-31-1-403--through--31-1-406. The peace**
21 **officer shall give the pawnbroker or dealer a receipt for**
22 **any property surrendered by the pawnbroker or dealer."**

23 **NEW SECTION. Section 2. Repealer.** Sections 31-1-403,
24 31-1-404, 31-1-405, and 31-1-406, MCA, are repealed.

-End-



SB 238
INTRODUCED BILL

SENATE BILL NO. 238
INTRODUCED BY CRIPPEN

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING CERTAIN
WARRANT AND BOND REQUIREMENTS FOR OBTAINING POSSIBLE STOLEN
PROPERTY FROM A PAWNBROKER OR DEALER; AMENDING SECTION
46-5-212, MCA; AND REPEALING SECTIONS 31-1-403, 31-1-404,
31-1-405, AND 31-1-406, MCA."

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

Section 1. Section 46-5-212, MCA, is amended to read:

"46-5-212. Pawnbroker to surrender stolen property.
When a peace officer informs a pawnbroker or dealer who buys
and sells secondhand merchandise that property pawned to him
or purchased by him the pawnbroker or dealer is stolen
property, as defined in 45-2-101, the pawnbroker or dealer
who buys and sells secondhand merchandise shall hold the
property for 30 days UNLESS DEMANDED BY A PEACE OFFICER and,
UPON DEMAND, shall surrender the property to the peace
officer ~~upon service of a search warrant by a peace officer~~
~~pursuant to 31-1-403 through 31-1-406.~~ The peace officer
shall give the pawnbroker or dealer a receipt for any
property surrendered by the pawnbroker or dealer."

NEW SECTION. Section 2. Repealer. Sections 31-1-403,
31-1-404, 31-1-405, and 31-1-406, MCA, are repealed.

-End-



SB 238
SECOND READING

SENATE BILL NO. 238
INTRODUCED BY CRIPPEN

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING CERTAIN
WARRANT AND BOND REQUIREMENTS FOR OBTAINING POSSIBLE STOLEN
PROPERTY FROM A PAWNBROKER OR DEALER; AMENDING SECTION
46-5-212, MCA; AND REPEALING SECTIONS 31-1-403, 31-1-404,
31-1-405, AND 31-1-406, MCA."

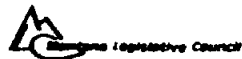
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-5-212, MCA, is amended to read:

"46-5-212. Pawnbroker to surrender stolen property.
When a peace officer informs a pawnbroker or dealer who buys
and sells secondhand merchandise that property pawned to him
or purchased by him the pawnbroker or dealer is stolen
property, as defined in 45-2-101, the pawnbroker or dealer
who buys and sells secondhand merchandise shall hold the
property for 30 days UNLESS DEMANDED BY A PEACE OFFICER and,
UPON DEMAND, shall surrender the property to the peace
officer ~~upon service of a search warrant by a peace officer~~
~~pursuant to 31-1-403 through 31-1-406.~~ The peace officer
shall give the pawnbroker or dealer a receipt for any
property surrendered by the pawnbroker or dealer."

NEW SECTION. Section 2. Repealer. Sections 31-1-403,
31-1-404, 31-1-405, and 31-1-406, MCA, are repealed.

-End-



SB 238
THIRD READING

1 SENATE BILL NO. 238

2 INTRODUCED BY CRIPPEN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING CERTAIN
5 WARRANT AND BOND REQUIREMENTS FOR OBTAINING POSSIBLE STOLEN
6 PROPERTY FROM A PAWNBROKER OR DEALER; AMENDING SECTION
7 46-5-212, MCA; AND REPEALING SECTIONS 31-1-403, 31-1-404,
8 31-1-405, AND 31-1-406, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 46-5-212, MCA, is amended to read:

12 "46-5-212. Pawnbroker to surrender stolen property.
13 When a peace officer informs a pawnbroker or dealer who buys
14 and sells secondhand merchandise that property pawned to him
15 or purchased by him the pawnbroker or dealer is stolen
16 property, as defined in 45-2-101, the pawnbroker or dealer
17 who buys and sells secondhand merchandise shall hold the
18 property for 30 days UNLESS DEMANDED BY A PEACE OFFICER and,
19 UPON DEMAND, shall surrender the property to the peace
20 officer ~~upon service of a search warrant by a peace officer~~
21 ~~pursuant to 31-1-403 through 31-1-406.~~ The peace officer
22 shall give the pawnbroker or dealer a receipt for any
23 property surrendered by the pawnbroker or dealer."

24 NEW SECTION. Section 2. Repealer. Sections 31-1-403,
25 31-1-404, 31-1-405, and 31-1-406, MCA, are repealed.

-End-



SB 238

REFERENCE BILL