

BILL ANALYSIS

Senate Research Center

S.B. 965
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Enrolled

DIGEST AND PURPOSE

Currently, certain provisions of Texas law do not correspond with the new time period a pawnbroker is required to hold pledged goods that was set forth in the Texas sunset review of the Office of Consumer Credit Commissioner. On the issue of identification acceptable to a pawnbroker, the border crossing card does not have a readily recognizable unique number, but the Mexican Consulate has begun issuing the *matricula*, which does. Additionally, the law does not reflect the federal government's restructuring of the previous Immigration and Naturalization Service.

S.B. 965 decreases the time period a pawnbroker is required to hold pledged goods from the 61st day after the maturity date to the 31st day. This bill also replaces the nonresident alien crossing card with the *certificado de matricula consular* or an identification issued by the U.S. agency responsible for citizenship and immigration as acceptable forms of identification for a pledgor to a pawnbroker, and deletes the U.S. Immigration and Naturalization Service identification from that list.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 371.157, Finance Code, to require a pawnbroker, at the time a pawn transaction is entered, to deliver to the pledgor a pawn ticket or other memorandum that clearly shows the authorization for the pledged goods to be forfeited to the pawnbroker on the 31st, rather than the 61st, day after the maturity date.

SECTION 2. Amends Section 371.174(b), Finance Code, to include in the list of acceptable identification an identification certificate from the Mexican Consulate, *certificado de matricula consular*, rather than a nonresident alien border crossing card, or identification issued by the agency of the United States responsible for citizenship and immigration, rather than a resident alien border crossing card. Deletes from the list a United States Immigration and Naturalization Service identification.

SECTION 3. Effective date: September 1, 2003.