

By: Edwards

H.B. No. 3204

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing municipalities to enforce certain
3 regulations relating to pawnshops; providing a criminal penalty.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 371.005, Finance Code, is amended to
6 read as follows:

7 Sec. 371.005. REGULATORY AND ENFORCEMENT AUTHORITY. (a)
8 The legislature has exclusive authority regarding the operation of
9 pawnshops, except for a matter delegated by this chapter to the
10 commissioner or except as provided by Subsection (b). The
11 commissioner has the authority to regulate only a business practice
12 that requires a pawnshop license.

13 (b) The governing body of a municipality may adopt an
14 ordinance to enforce a provision of this chapter, other than a
15 provision relating to licensing, against an individual who holds a
16 pawnshop license issued by this state or an employee of a person who
17 holds a pawnshop license issued by this state. An ordinance adopted
18 under this subsection may not provide a penalty greater than a Class
19 C misdemeanor.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2009.