



The State of South Carolina Department of Consumer Affairs

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Carri Grube Lybarker
Administrator/
Consumer Advocate

Celebrating Over 40 Years of Public Service

DATE: June 28, 2018
TO: Pawnbroker Licensees
FROM: Carri Grube Lybarker 
RE: PAWBROKER LICENSING AND LAW CHANGES

WHY FILE ONLINE?

- ✓ It's faster
- ✓ It's available 24/7
- ✓ You can pay renewal fees using a credit card

The South Carolina Department of Consumer Affairs (“the Department”) is implementing several updates and changes to the Pawnbroker program, including: the ability to file online, amendments to applicable law, and new reporting requirements for pawnbrokers. If you have any questions, please contact:

- Barbara Faircloth, Senior Licensing Examiner / bfaircloth@scconsumer.gov / (803)734-4249
- Deborah Lockard, Licensing Supervisor / dfriday@scconsumer.gov / (803)734-4209

Online Licensing System Available

The Department is excited to announce its online licensing system is available for all Pawnbroker applications. To learn about the Licensure Gateway, you can read user guides or watch helpful YouTube videos available on our website. Please see the enclosed “Preparing to File Online” for more information.

The Department has extended the renewal period for Pawnbroker Certificates of Authority to allow licensees to take advantage of the new system. **Renewal forms and fees must be submitted online or postmarked by July 16, 2018.**

Amendments to the South Carolina Pawnbrokers Act (“Pawnbrokers Act”)

The Legislature amended the Pawnbrokers Act during the 2018 legislative session to provide further protections for consumers in South Carolina. One of the amendments requires pawnbrokers to electronically transfer records of all pledged items to a Department-approved database accessible by law enforcement. The Department is currently reviewing database options and will make a decision very soon. We will notify pawnbrokers of our decision early to mid-July to provide licensees an opportunity to make arrangements before the August 15th reporting requirement deadline. Please review the enclosed press release for more information on the other changes to the Pawnbrokers Act.

ADMINISTRATOR Tel.: 803-734-4233 Fax: 803-734-4060	PUBLIC INFORMATION Tel.: 803-734-4296 Fax: 803-734-4060	CONSUMER ADVOCACY Tel.: 803-734-4200 Fax: 803-734-4060	ENFORCEMENT/ INVESTIGATORS Tel.: 803-734-4200 Fax: 803-734-4287	CONSUMER COMPLAINTS Tel.: 803-734-4200 Fax: 803-734-4286	ID THEFT UNIT Tel.: 803-734-4200 Fax: 803-734-4229	PROCUREMENT & ACCOUNTING Tel.: 803-734-4200 Fax: 803-734-4299
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NEWS FROM SCDCA

SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS

Carri Grube Lybarker, Administrator

FOR IMMEDIATE RELEASE

June 18, 2018 | Release #18-010

Contact: Juliana Harris, (803) 734-4296

Legislative Update: Pawnbrokers Act Amendments

COLUMBIA, S.C. – The South Carolina Department of Consumer Affairs (SCDCA) is announcing changes made during the 2018 legislative session to state pawnbroker laws.

Senate Bill 810 amends the South Carolina Pawnbrokers Act to provide further protections for consumers within South Carolina. These changes include additional recordkeeping requirements for the state’s approximate 200 pawnbrokers, revised procedures for law enforcement, and increased penalties for certain acts by pawnbrokers. The new law becomes **effective August 15, 2018**, and makes the following changes:

- **Requires Digital Images of Pawned Items.** Pawnbrokers are to keep a record of each loan or purchase made, which must include a digital photograph of the item being pawned, pledged, or purchased.
- **Requires Database for Electronic Reporting.** Pawnbrokers must electronically transfer records of all pledged items to an SCDCA approved database that will be accessible by law enforcement.
- **Revises Procedures for Hold Orders.** Law enforcement may take possession of a pawned item believed to be stolen until the completion of a criminal investigation. Law enforcement must hold the item for 10 days before releasing the item to the true owner. If no true owner is identified, the item will be returned to the pawnbroker.
- **Provides Penalties for Intentional Violations.** Pawnbrokers who willfully fail to keep their records open to court officials, law enforcement, or SCDCA will be guilty of a misdemeanor and may be subject to a \$500 fine, imprisoned for 30 days or less, or both.

The Department is currently reviewing database options and soliciting recommendations and feedback from law enforcement and pawnbrokers. A database determination will be made no later than early next month to provide pawnbrokers with the opportunity to make appropriate arrangements to meet the August 15th reporting requirement deadline.

About SCDCA

The South Carolina Department of Consumer Affairs aims to protect consumers from inequities in the marketplace through advocacy, complaint mediation, enforcement and education. To file a complaint or get information on consumer issues, visit www.consumer.sc.gov or call toll-free, 1-800-922-1594.

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Preparing to File Online

Access this page by visiting www.consumer.sc.gov and clicking on “Online Licensing” at the top of the page.

The screenshot shows the South Carolina Department of Consumer Affairs website. At the top, the logo and name are displayed. Below is a navigation bar with 'QUICK LINKS' and several menu items: Home, Contact Us, File a Complaint, Licensee Lookup, and 'Online Licensing' (highlighted with a red box). To the right of the navigation bar is a 'Font Size' control. The main content area has a breadcrumb trail: Home > Business Resources/Laws > Regulatory > CALAS_Interim. The title is 'Online Licensing'. The text explains that users should add NOREPLY@SCCONSUMER.GOV to their safe senders list. It then provides instructions on how to use the new online licensing system, with links for 'User Guide for Individuals', 'User Guide for Organization Administrators' (highlighted with a red box), 'Logging in to the DCA Licensure Gateway for the First Time', 'DCA Licensure Gateway: Applying for a License', 'DCA Licensure Gateway: Printing a Certificate', and 'DCA Licensure Gateway: Edit Your Contact Information'. A section titled 'Programs available on the online licensing system:' lists 'Motor Clubs', 'Pawnbrokers' (highlighted with a red box), and 'Physical Fitness Services'. On the right side, there is a 'FILE ONLINE' button, 'Questions?' section with contact information (Phone: 803-734-4200, 1-800-922-1594, Toll free in S.C., email: scdca@scconsumer.gov, Mailing Address: PO Box 5757, Columbia SC 29250-5757, Physical Address: 2221 Devine St., Ste. 200, Columbia SC 29205), and 'Helpful Links' including 'Nationwide Mortgage Licensing System'. A sidebar on the left contains links for 'ABOUT US', 'BUSINESS RESOURCES/LAWS', 'CONSUMER RESOURCES', 'IDENTITY THEFT UNIT', 'NEWS', and 'PRIVACY STATEMENT', along with social media icons and a tweet feed.

If you want to download the new paper forms or review information about the Pawnbrokers Act, click on Pawnbrokers.

In order to file online, you must first register and become an Organization Administrator. Please review the User Guide for Organization Administrators for instructions.

When you are ready to file, click “File Online”.