



SPONSOR: Rep. K. Williams & Rep. Cooke & Sen. Walsh
Reps. Baumbach, Bolden, Heffernan, Hilovsky, Morrison,
Osienski; Sens. Hocker, Mantzavinos

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 157

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 2301, Title 24 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows and by redesignating accordingly:

3 § 2301. Definitions.

4 As used in this chapter:

5 (8) "Gift card" means a tangible device, whereon is embedded or encoded in an electronic or other format a
6 value issued in exchange for payment that may be used to obtain merchandise, goods, or services at a single retailer of
7 goods or services or an affiliated group of retailers of goods, which may provide to the bearer merchandise in a specific
8 amount or of equal value to the bearer of the device.

9 Section 2. Amend § 2307, Title 24 of the Delaware Code by making deletions as shown by strike through and
10 insertions as shown by underline as follows:

11 § 2307. Prohibited transactions.

12 (a) No pawnbroker, secondhand dealer or scrap metal processor subject to this chapter shall knowingly purchase or
13 acquire any article, ware or merchandise:

14 (3) Which has an altered, obliterated or otherwise tampered with serial number or identifying ~~marking~~
15 marking;

16 (4) Which remains sealed, unopened in its original packaging, or in its original unused condition unless the
17 person conveying the item presents a receipt or proof of purchase for the item; or

18 (5) A gift card from a retailer.

19 (e) The Department of Safety and Homeland Security and its designees may seize an item found in violation of
20 § 2307 of this title. The Department shall hold the seized item for no more than 30 days, during which time the pawnbroker,
21 secondhand dealer, or scrap metal processor may provide the Department with proof of ownership or other evidence
22 sufficient to establish ownership under this chapter.

23 Section 3. This Act takes effect the first January 1 after enactment.

SYNOPSIS

This Act prohibits a pawnbroker, secondhand dealer, or scrap metal processor from purchasing or otherwise acquiring a gift card or other item in its original packaging unless the individual offering the item for sale produces a receipt or proof of purchase at the time of transaction. The Department of Homeland Security or its designee may seize an item found in violation of Chapter 23, Title 24 for a period of 30 days to allow the pawnbroker, secondhand dealer, or scrap metal processor an opportunity to provide a receipt or proof of ownership.