

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 22-0381.01 Pierce Lively x2059

**HOUSE BILL 22-1324**

**HOUSE SPONSORSHIP**

**Bernett and Lynch, Snyder**

**SENATE SPONSORSHIP**

**Woodward and Rodriguez, Kolker**

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**House Committees**  
Business Affairs & Labor

**Senate Committees**  
Business, Labor, & Technology

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**A BILL FOR AN ACT**

101 **CONCERNING A MODIFICATION TO THE DEFINITION OF PAWNBROKER.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Under current law, a pawnbroker is a person who regularly engages in the business of making contracts for purchase or purchase transactions in the course of his or her business. The bill amends the definition of pawnbroker so that a person who is regularly engaged in the business of making purchase transactions is a pawnbroker only if he or she also engages in the business of making contracts for purchase.

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

SENATE  
3rd Reading Unamended  
April 27, 2022

SENATE  
2nd Reading Unamended  
April 26, 2022

HOUSE  
3rd Reading Unamended  
April 12, 2022

HOUSE  
Amended 2nd Reading  
April 11, 2022

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4 (a) In 2019, in *Pro's Closet, Inc. v. City of Boulder*, 2019 COA  
5 128, the Colorado court of appeals interpreted the definition of  
6 pawnbroker under Colorado law and held that the definition included  
7 both persons who regularly engage in the business of making contracts  
8 for purchase and persons who regularly engage in the business of making  
9 purchase transactions;

10 (b) The act changes the definition of pawnbroker so that a person  
11 who is regularly engaged in the business of making purchase transactions  
12 is a pawnbroker only if he or she also regularly or occasionally engages  
13 in the business of making contracts for purchase; and

14 (c) Under the definition of pawnbroker in the act, a person who  
15 regularly engages in the business of making purchase transactions, but  
16 does not engage in the business of making contracts for purchase, is not  
17 a pawnbroker.

18 **SECTION 2.** In Colorado Revised Statutes, 29-11.9-101, **amend**  
19 (7) as follows:

20 **29-11.9-101. Definitions.** As used in this article 11.9, unless the  
21 context otherwise requires:

22 (7) "Pawnbroker" means a person WHO, IN THE COURSE OF HIS OR  
23 HER BUSINESS, IS regularly engaged in the business of making contracts  
24 for purchase or A PERSON WHO, IN THE COURSE OF HIS OR HER BUSINESS,  
25 IS BOTH REGULARLY ENGAGED IN THE BUSINESS OF MAKING purchase  
26 transactions ~~in the course of his or her business~~ AND ALSO REGULARLY OR  
27 OCCASIONALLY MAKES CONTRACTS FOR PURCHASE.

1            **SECTION 3. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, or safety.