

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

May 5, 2008

The Honorable President and Members
of the Baltimore City Council
Attn: Karen Randle, Executive Secretary
Room 409, City Hall
100 North Holliday Street
Baltimore, Maryland 21202


Re: City Council Bill 08-0091 – Pawnbrokers – Dealers in Second-Hand
Property, etc. – Daily Reports

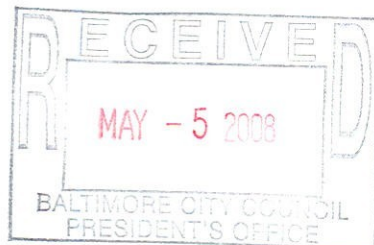
Dear Madame President and City Council Members:

The Law Department has reviewed Council Bill 08-0091 for form and legal sufficiency. The bill would amend existing Pawnbroker regulations to require the daily reports of the transactions of pawnbrokers and of dealers in second-hand property, antiques, and consignment goods (“Dealers”) to contain a photograph of each transacted item. The bill would also require the daily reports to be transmitted electronically, in the format and manner required by the Police Commissioner, by 10 a.m. on the business day after the day for which the report is made (this is in addition to the written submission already required). The photographs need only be submitted once; in either the written or electronic format of the report. The bill also permits pawnbrokers’ written reports to be submitted via facsimile (the existing law already allows facsimile transmission for Dealers). The bill also corrects and clarifies certain language contained in Article 2, subtitles 11 and 12 of the Baltimore City Code, which pertain to the daily reporting requirements for pawnbrokers and Dealers. The law does not conflict with the Maryland Secondhand Precious Metal Object Dealers and Pawnbrokers Act, because that Act does not apply to local jurisdictions which regulate pawnbrokers, except with regard to dealers of secondhand precious metal, which the bill does not pertain to. Md. Code Ann., Bus. Reg. § 12-102 (c) (2008).

Since City Council Bill 08-0091 is within the authority of the City Council and does not conflict with State law on this subject, the Law Department approves Council Bill 08-0091 for form and legal sufficiency.

Very truly yours,


Ashlea Brown
Special Assistant Solicitor



cc: The Honorable Stephanie Rawlings-Blake
George A. Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Linda C. Barclay, Chief Solicitor
Elena R. DiPietro, Senior Solicitor
Deepa Bhattacharyya, Assistant Solicitor