

# An Act

HOUSE BILL 12-1328

BY REPRESENTATIVE(S) Priola, Ferrandino, DelGrosso, Murray, Sonnenberg, Brown, Labuda;  
also SENATOR(S) Giron.

CONCERNING EXCLUSION FROM THE "UNIFORM CONSUMER CREDIT CODE" OF CERTAIN CHARGES BY PERSONS REGULARLY ENGAGED IN MAKING CONTRACTS FOR PURCHASE OF TANGIBLE PERSONAL PROPERTY IN THE COURSE OF BUSINESS IF THOSE CHARGES DO NOT EXCEED AMOUNTS PERMITTED BY LAW.

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

**SECTION 1.** In Colorado Revised Statutes, 5-1-202, **amend** (1) introductory portion and (1) (d) as follows:

**5-1-202. Exclusions.** (1) ~~This~~ THE code does not apply to:

(d) (I) WITH RESPECT TO CONTRACTS FOR PURCHASE ENTERED INTO BY A PAWNBROKER, AS THE TERMS ARE DEFINED IN SECTION 12-56-101, C.R.S., the rates and charges, and the disclosure of rates and charges, ~~of a licensed pawnbroker established in accordance with a statute or ordinance concerning these matters~~ IF THE RATES AND CHARGES DO NOT EXCEED THE FIXED PRICE PERMITTED BY SECTION 12-56-101 (2), C.R.S. THE EXCLUSION

IN THIS SUBPARAGRAPH (I) APPLIES TO PAWNBROKERS WHO ARE:

(A) LICENSED BY A LOCAL LICENSING AUTHORITY PURSUANT TO SECTION 12-56-102, C.R.S.; OR

(B) REGULATED, WITH RESPECT TO RATES AND CHARGES, BY A LOCAL GOVERNING AUTHORITY PURSUANT TO SECTION 12-56-102, C.R.S.

(II) THE EXCLUSION IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) ALSO APPLIES TO PAWNBROKERS AUTHORIZED TO MAKE SUPERVISED LOANS UNDER SECTION 5-2-301 WITH RESPECT TO CONTRACTS FOR PURCHASE; EXCEPT THAT THE EXCLUSION DOES NOT APPLY TO THE DISCLOSURE OF RATES AND CHARGES OF PAWNBROKERS AUTHORIZED TO MAKE SUPERVISED LOANS.

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO