

Colorado Legislative Council Staff Fiscal Note
NO FISCAL IMPACT

Drafting Number: LLS 12-0668	Date: March 26, 2012
Prime Sponsor(s): Rep. Priola Sen. Giron	Bill Status: House Economic and Business Development Fiscal Analyst: Harry Zeid (303-866-4753)

TITLE: 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.

Summary of Legislation

Under current law, the rates and charges and the disclosure of rates and charges of a licensed pawnbroker are specifically excluded from the general provisions of the Uniform Consumer Credit Code (UCCC). The bill clarifies that the pawnbroker exclusion to the UCCC applies to pawnbrokers whether licensed by a local licensing authority, regulated by a local governing authority under Section 12-56-102, C.R.S., or authorized to make supervised loans under Section 5-2-301, C.R.S. The UCCC exclusion applies so long as the rates and charges do not exceed an agreed upon amount, not to exceed one-fifth of the original purchase price for each month, plus the original purchase price.

The bill takes effect August 8, 2012, assuming the General Assembly adjourns May 9, 2012, as scheduled and no referendum petition is filed.

Assessment

The bill is assessed as no fiscal impact. The bill clarifies who qualifies as a pawnbroker and further describes which pawnbroker contracts are excluded from the requirements of the UCCC. The bill will not change the number of entities licensed with the UCCC program in the Department of Law and will not affect enforcement or investigative workload associated with pawn shops. Further, since the bill clarifies current law, no new cause of action is created on the courts. The bill will therefore have no impact on the Judicial Branch.

Departments Contacted

Law Judicial Local Affairs