

HOUSE BILL 1538

C2
HB 15/13 – ECM

4lr3382

By: **Delegate Bromwell**

Rules suspended

Introduced and read first time: March 4, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Secondhand Precious Metal Object Dealers – Locations for Transaction of**
3 **Business**

4 FOR the purpose of authorizing a secondhand precious metal object dealer to transact
5 certain business for up to a certain number of days at an event that takes place
6 at a location other than the dealer's fixed business address after giving written
7 notice to certain law enforcement units within a certain period of time;
8 providing for a certain exception to the notice requirement; and generally
9 relating to the authorized locations for the transaction of business by
10 secondhand precious metal object dealers.

11 BY repealing and reenacting, with amendments,
12 Article – Business Regulation
13 Section 12–206
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2013 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Business Regulation**

19 12–206.

20 (a) A license authorizes the licensee to do business as a dealer only at the
21 address for which the license is issued.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) Notwithstanding subsection (a) of this section, **AND EXCEPT AS**
2 **PROVIDED IN SUBSECTION (C) OF THIS SECTION**, a dealer who holds a license
3 under this subtitle may:

4 (1) **TRANSACT BUSINESS AS A DEALER FOR UP TO 7 CONSECUTIVE**
5 **DAYS AT AN EVENT THAT TAKES PLACE AT A LOCATION OTHER THAN THE**
6 **DEALER'S FIXED BUSINESS ADDRESS AFTER GIVING WRITTEN NOTICE AT LEAST**
7 **7 DAYS IN ADVANCE OF THE EVENT TO THE PRIMARY LAW ENFORCEMENT UNIT**
8 **AND TO THE LOCAL LAW ENFORCEMENT UNIT WITH JURISDICTION OVER THE**
9 **PLACE WHERE THE EVENT WILL BE HELD;**

10 (2) make purchases at an estate and judicial sale; and

11 [(2)] (3) transact business at the residence of the owner of a precious
12 metal object or a place where the owner keeps a precious metal object:

13 (i) on request of the owner; and

14 (ii) after giving written notice of the proposed transaction and
15 its location to the local law enforcement unit with jurisdiction over that location.

16 **(C) A DEALER IS NOT REQUIRED TO COMPLY WITH THE NOTICE**
17 **REQUIREMENTS UNDER SUBSECTION (B)(1) OF THIS SECTION UNLESS THE**
18 **DEALER, OR THE DEALER'S EMPLOYEE OR AGENT, HAS ACQUIRED SPACE AT AN**
19 **EVENT THAT TAKES PLACE AT A LOCATION OTHER THAN THE DEALER'S FIXED**
20 **BUSINESS ADDRESS OR HAS PUBLISHED NOTICE OF OR ADVERTISED THE EVENT**
21 **BY ANY MEANS.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2014.