

HOUSE BILL 449

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2004 Regular Session
(4r1764)

ENROLLED BILL
-- Economic Matters/Finance --

Introduced by **Delegates Petzold, Barkley, Heller, Lee, Mandel, and Murray**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Dealers - Precious Metal Objects - Transfer of Records**

3 FOR the purpose of requiring the Secretary of Labor, Licensing, and Regulation to
4 encourage certain dealers and law enforcement units to develop a certain system
5 for transmitting records; requiring a dealer to submit certain records by one of
6 two methods, including by electronic ~~computer entry~~ transmittal, in a format
7 acceptable to the receiving law enforcement unit, by a certain time each day, if
8 ~~required by the law enforcement unit;~~ and generally relating to the transfer of
9 records of dealers of precious metal objects.

10 BY repealing and reenacting, with amendments,
11 Article - Business Regulation
12 Section 12-304
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 2003 Supplement)

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

3 **Article - Business Regulation**

4 12-304.

5 (a) (1) A dealer shall submit a copy of each record to the primary law
6 enforcement unit in accordance with subsection (b) of this section.

7 (2) If the dealer transacts business in accordance with § 12-206(b) of this
8 title, the dealer also shall submit a copy of the records to the local law enforcement
9 unit in accordance with subsection (b) of this section.

10 (3) On the request of a dealer, the Secretary shall provide to the dealer a
11 list of local law enforcement units.

12 (4) THE SECRETARY SHALL ENCOURAGE DEALERS AND LOCAL LAW
13 ENFORCEMENT UNITS TO DEVELOP A SYSTEM FOR TRANSMITTING RECORDS
14 ELECTRONICALLY.

15 (b) The dealer shall submit the records by ONE OF THE FOLLOWING
16 METHODS, ~~AS REQUIRED BY THE LAW ENFORCEMENT UNIT:~~

17 (1) BY delivering or mailing a copy of the records by the end of the next
18 business day after the day on which the item was acquired; OR

19 (2) BY ELECTRONIC COMPUTER ENTRY TRANSMITTING A COPY OF THE
20 RECORDS ELECTRONICALLY, IN A FORMAT ACCEPTABLE TO THE RECEIVING LAW
21 ENFORCEMENT UNIT, BY THE END OF EACH BUSINESS DAY.

22 (c) Each copy of a record, submitted to the primary law enforcement unit and,
23 if applicable, local law enforcement unit, shall include:

24 (1) the license number of the dealer;

25 (2) the location of each item listed in the record; and

26 (3) the information required under § 12-302 of this subtitle.

27 (d) A copy of a record submitted under this section:

28 (1) shall be kept confidential;

29 (2) is not a public record; and

30 (3) is not subject to Title 10, Subtitle 6 of the State Government Article.

31 (e) A law enforcement unit may destroy the copy of a record submitted under
32 this section after 1 year from the date the law enforcement unit receives the copy.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2004.