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By: **Howard County Delegation**

Introduced and read first time: February 2, 2005

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2005

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

2 **Howard County - Dealers - Precious Metal Objects - Electronic Transfer of**  
3 **Records**  
4 **Ho. Co. 11-05**

5 FOR the purpose of requiring certain dealers in Howard County to submit certain  
6 records to certain law enforcement units by submitting a copy of the records  
7 electronically in a certain manner; and generally relating to the transfer of  
8 records of dealers of precious metal objects in Howard County.

9 BY repealing and reenacting, with amendments,  
10 Article - Business Regulation  
11 Section 12-304  
12 Annotated Code of Maryland  
13 (1998 Replacement Volume and 2004 Supplement)

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

16 **Article - Business Regulation**

17 12-304.

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

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

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

6 (4) The Secretary shall encourage dealers and local law enforcement  
7 units to develop a system for transmitting records electronically.

8 (b) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
9 SUBSECTION, THE dealer shall submit the records by one of the following methods:

10 [(1)] (I) by delivering or mailing a copy of the records by the end of the  
11 next business day after the day on which the item was acquired; or

12 [(2)] (II) by transmitting a copy of the records electronically, in a format  
13 acceptable to the receiving law enforcement unit, by the end of each business day.

14 (2) (I) A DEALER WHO HOLDS A LICENSE FOR A PLACE OF BUSINESS  
15 IN HOWARD COUNTY SHALL SUBMIT THE RECORDS TO THE LAW ENFORCEMENT  
16 UNIT BY TRANSMITTING A COPY OF THE RECORDS ELECTRONICALLY IN  
17 ACCORDANCE WITH PARAGRAPH (1)(II) OF THIS SUBSECTION.

18 (II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY TO  
19 AN ANTIQUE DEALER THAT:

20 1. DOES NOT ENGAGE IN PAWN TRANSACTIONS; AND

21 2. HOLDS A VALID TRADER'S LICENSE OR DEALER'S LICENSE  
22 UNDER STATE LAW.

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

25 (1) the license number of the dealer;

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

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

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

29 (1) shall be kept confidential;

30 (2) is not a public record; and

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

32 (e) A law enforcement unit may destroy the copy of a record submitted under  
33 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, 2005.