

HOUSE BILL 1177

E4

8lr0228

By: **Chair, Economic Matters Committee (By Request – Departmental – State Police)**

Introduced and read first time: February 8, 2008

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Secondhand Precious Metal Object Dealers and Pawnbrokers – Electronic**
3 **Reporting**

4 FOR the purpose of requiring certain secondhand precious metal object dealers and
5 pawnbrokers to submit certain records to certain law enforcement units in a
6 certain manner and at a certain time; exempting certain antique dealers from
7 the reporting requirement; and generally relating to the records of secondhand
8 precious metal object dealers and pawnbrokers.

9 BY repealing and reenacting, with amendments,
10 Article – Business Regulation
11 Section 12–304
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2007 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.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5 (b) (1) [Except as provided in paragraph (2) of this subsection, the] **THE**
6 dealer shall submit the records [by one of the following methods:

7 (i) by delivering or mailing a copy of the records by the end of
8 the next business day after the day on which the item was acquired; or

9 (ii)] by transmitting a copy of the records electronically, in a
10 format acceptable to the receiving law enforcement unit, by the end of each business
11 day.

12 (2) [(i) A dealer who holds a license for a place of business in
13 Howard County shall submit the records to the law enforcement unit by transmitting
14 a copy of the records electronically in accordance with paragraph (1)(ii) of this
15 subsection.

16 (ii) Subparagraph (i) of this paragraph] **PARAGRAPH (1) OF**
17 **THIS SUBSECTION** does not apply to an antique dealer that:

18 [1.] **(I)** does not engage in pawn transactions; and

19 [2.] **(II)** holds a valid trader's license or dealer's license
20 under State law.

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

23 (1) the license number of the dealer;

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

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

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

27 (1) shall be kept confidential;

28 (2) is not a public record; and

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

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

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2008.