

HOUSE BILL 1217

C2

0lr2534

By: **Delegates Ramirez, Barnes, Ivey, Niemann, Ross, Taylor, Valderrama, and Vaughn**

Introduced and read first time: February 18, 2010

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2010

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Secondhand Precious Metal Object Dealers –**
3 **Precious Metal Objects – Holding Period**

4 FOR the purpose of altering the period of time during which certain secondhand
5 precious metal object dealers in Prince George's County must hold certain
6 precious metal objects; and generally relating to the holding period for precious
7 metal objects in Prince George's County.

8 BY repealing and reenacting, with amendments,
9 Article – Business Regulation
10 Section 12–305
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2009 Supplement)

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

15 **Article – Business Regulation**

16 12–305.

17 (a) (1) **(I)** Except as otherwise provided in this section, a dealer who
18 acquires a precious metal object shall keep it in the county where the dealer holds a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 license from the time of acquisition until at least ~~18~~ ~~30~~ days after submitting a copy
2 of a record of its acquisition under § 12-304 of this subtitle.

3 **(II) A DEALER WHO HOLDS A LICENSE IN PRINCE GEORGE'S**
4 **COUNTY AND WHO ACQUIRES A PRECIOUS METAL OBJECT SHALL KEEP IT IN**
5 **PRINCE GEORGE'S COUNTY FROM THE TIME OF ACQUISITION UNTIL AT LEAST**
6 **30 DAYS AFTER SUBMITTING A COPY OF A RECORD OF ITS ACQUISITION UNDER §**
7 **12-304 OF THIS SUBTITLE.**

8 (2) A dealer who acquires a precious metal object at an event which
9 takes place at a location other than the dealer's fixed business address shall place the
10 object and a record of its acquisition at a location in accordance with subsection (d)(1)
11 or (2) of this section by the next business day after acquiring the object.

12 (3) In partial compliance with the ~~18 day~~ ~~30 DAY~~ holding
13 requirement under this subsection, a dealer may maintain an object and the record of
14 its acquisition at a location other than the dealer's fixed business address, if the local
15 law enforcement unit in the jurisdiction where the item was acquired provides written
16 approval.

17 (b) (1) A dealer may submit to the primary law enforcement unit a
18 written request for a shorter holding period for a specific precious metal object.

19 (2) Within 48 hours after the primary law enforcement unit receives a
20 request, the primary law enforcement unit shall approve or deny the request.

21 (3) After inspecting the precious metal object, the primary law
22 enforcement unit may authorize in writing a shorter holding period.

23 (4) If the primary law enforcement unit denies the request, the
24 primary law enforcement unit shall state the reasons in writing.

25 (c) (1) Except as provided in paragraph (2) of this subsection, a dealer
26 may not alter a precious metal object before or during the holding period.

27 (2) During the holding period, a dealer may chemically test a precious
28 metal object to determine its metal content or value if the dealer does not alter the
29 precious metal object so as to affect its identification or value.

30 (d) During the holding period for a precious metal object, a dealer shall keep
31 the precious metal object and the record of its acquisition in:

32 (1) the place of business of the dealer; or

33 (2) a storage facility specified in the license application of the dealer.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.