



General Assembly

January Session, 2001

**Committee Bill No. 5584**

LCO No. 3156

Referred to Committee on General Law

Introduced by:

(GL)

**AN ACT CONCERNING DEALERS OF SECONDHAND MERCHANDISE  
AND PRECIOUS METALS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21-11 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 Any person desiring to engage in business as a dealer and trader in  
4 secondhand bicycles, junk, metals or other secondhand articles in any  
5 town, city or borough shall make application to the selectmen of such  
6 town, the mayor or chief of police of such city or the warden of such  
7 borough, as the case may be, for a license to transact such business  
8 within the limits of such town, city or borough, and the selectmen of  
9 such town, the mayor or chief of police of such city or the warden of  
10 such borough shall issue such licenses to such suitable persons as  
11 apply therefor and may revoke any such license for cause; but the  
12 selectmen shall not grant any such license for the carrying on of such  
13 business within the limits of any city or borough, and the persons so  
14 licensed shall pay, for the benefit of any such town, city or borough, to  
15 the authority granting the license, not less than two nor more than ten  
16 dollars therefor, to be determined by the authority granting the license,

17 and for renewal of such license ten dollars per year. Each license  
18 granted under the provisions of this section shall designate the place  
19 where such business is to be carried on, and shall continue for one year  
20 unless sooner revoked. Each such dealer or employee of such dealer  
21 shall keep a book in which shall be written in English (1) a description  
22 of such articles [and] including the type, make, manufacturer and  
23 serial number of such articles, if known, and the text or description of  
24 any engravings on such articles, (2) the name, [and] residence, date of  
25 birth, telephone number and a general description of the person from  
26 whom, and the time and hour when, such property was received, and  
27 (3) the name of the dealer or employee of such dealer involved in each  
28 transaction; and such book, and all articles of property mentioned  
29 therein, and the place where such business is carried on, may be  
30 examined at any time by the selectmen of the town or any person  
31 designated by them, and, in any city or borough, by the chief of police  
32 of such city or borough or any person [by him] designated by the chief  
33 of police. Each dealer or employee of such dealer shall demand  
34 positive photograph identification from the person selling the article  
35 and the type or form of identification received shall be noted in the  
36 book. Each such dealer shall make [, weekly,] a sworn [statements of  
37 all his transactions] statement not later than two days after each  
38 transaction under such license, describing the goods received and  
39 setting forth the name and residence and a description of the person  
40 from whom such goods were received, to the chief of police in the case  
41 of cities or boroughs and, in other cases, to the town clerk of the town  
42 in which such junk dealer resides, and shall keep all such goods at  
43 least [five] ten days after the filing of such statement.

44 Sec. 2. Section 21-13 of the general statutes is repealed and the  
45 following is substituted in lieu thereof:

46 Any person who engages in the business of a junk dealer without  
47 complying with the provisions of this chapter relating to said business  
48 shall be fined not more than [fifty] five hundred dollars or imprisoned  
49 not more than three months or both.

50 Sec. 3. Section 21-100 of the general statutes is repealed and the  
51 following is substituted in lieu thereof:

52 (a) No person may engage in or carry on the business of purchasing  
53 gold or gold-plated ware, silver or silver-plated ware, platinum ware,  
54 watches, jewelry, precious stones or coins unless such person is  
55 licensed by the chief of police or, if there is no chief of police, the first  
56 selectman of the municipality in which [he] such person intends to  
57 carry on such business; except that the provisions of this subsection  
58 shall not apply to the purchase of such items from a wholesaler by a  
59 manufacturer or retail seller whose primary place of business is located  
60 in this state. Such person shall pay an annual fee of ten dollars for such  
61 license. The license may be revocable for cause, which shall include,  
62 but not be limited to, failure to comply with any requirements for  
63 licensure specified by the licensing authority at the time of issuance. A  
64 chief of police or first selectman shall refuse to issue a license under  
65 this subsection to a person who has been convicted of a felony. A chief  
66 of police or first selectman may take the fingerprints of an applicant for  
67 such license and, if such fingerprints are taken, shall submit such  
68 fingerprints to the Federal Bureau of Investigation for a national  
69 criminal history records check. For the purposes of this subsection  
70 "wholesaler" means a person in the business of selling tangible  
71 personal property to be resold at retail or raw materials to be  
72 manufactured into suitable forms for use by consumers.

73 (b) Each such licensed person or employee of such licensed person  
74 shall keep a record in which [he] such person shall note at the time of  
75 each transaction: (1) The name of such licensed person or employee of  
76 such licensed person involved in the transaction; (2) a description of  
77 the goods purchased [and] including the type, make, manufacturer  
78 and serial number, if known, and the text or description of any  
79 engravings; (3) the price paid for [them,] such goods; (4) the name,  
80 date of birth, telephone number and address of the person selling the  
81 goods; and (5) the date and hour any such goods were received. Each  
82 such licensed person or employee of such licensed person shall

83 demand positive photograph identification from the person selling the  
84 article and the type or form of identification received shall be noted in  
85 the record. Any state police officer or municipal police officer shall  
86 have access to the record required to be kept under this section and  
87 may inspect the place where the business is carried on as well as any  
88 goods purchased or received.

89 (c) No such licensed person may purchase any goods from a minor  
90 unless such minor is accompanied by a parent or guardian. Each such  
91 licensed person may only pay for goods received by check, draft or  
92 money order and no cash shall be transferred to either party in the  
93 course of a transaction subject to the provisions of this section.

94 (d) At the time of making any purchase each licensed person shall  
95 deliver to the person selling goods a receipt containing the information  
96 required to be recorded in subsection (b) of this section, the amount  
97 paid for any goods sold and the name and address of the purchaser.

98 (e) [Upon request of the licensing authority each] Each such licensed  
99 person shall make a [weekly] sworn statement not later than two days  
100 after each transaction, describing the goods received and setting forth  
101 the name and address of each person from whom goods were  
102 purchased, to the chief of police or first selectman of each municipality  
103 [in which he transacted business that week] and shall keep all such  
104 goods at least ten days after the filing of such statement. Such sworn  
105 statement shall not be deemed public records for the purposes of the  
106 Freedom of Information Act, as defined in section 1-200.

107 (f) Any person who violates any provision of this section shall be  
108 fined not more than one thousand dollars.

**Statement of Purpose:**

To strengthen the laws governing precious metals and secondhand property dealers.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. BLACKWELL, 12th Dist.