



General Assembly

January Session, 2009

**Raised Bill No. 6519**

LCO No. 3595

\*03595 \_\_\_\_\_ GL\_\*

Referred to Committee on General Law

Introduced by:

(GL)

**AN ACT CONCERNING PAWNBROKERS, PRECIOUS METAL AND STONE DEALERS AND THE RECOVERY OF STOLEN JEWELRY AND PRECIOUS METALS AND STONES.**

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

1 Section 1. Section 21-41 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) No pawnbroker or person who loans money on the deposit or  
4 pledge of wearing apparel, jewelry, ornaments, household goods or  
5 other personal property or purchases such property on condition of  
6 selling the same back again at a stipulated price or purchases such  
7 property from a person who is not a wholesaler shall take, receive or  
8 purchase such property without receiving proof of the identity of the  
9 person depositing, pledging or selling the property. Such identification  
10 shall include a photograph, an address, if available on the  
11 identification, and an identifying number. Any person who wilfully  
12 violates any provision of this subsection shall, for a first violation, have  
13 committed an infraction and, for a second or subsequent violation  
14 committed within two years of a prior violation, be guilty of a class A  
15 misdemeanor.

16 (b) Each such pawnbroker or person carrying on such business of  
17 loaning money on the deposit or pledge of personal property or of  
18 purchasing such property on condition of selling the same back again  
19 at a stipulated price or of purchasing such property from a person who  
20 is not a wholesaler shall maintain a record-keeping system deemed  
21 appropriate by the chief of police in cities and by the selectmen in  
22 towns, in which shall be entered in English, at the time he receives any  
23 article of personal property by way of pledge, pawn or purchase, a  
24 description of such article, the name, residence, proof of identity as  
25 required in subsection (a) of this section and a general description of  
26 the person from whom, and the day and hour when, such property  
27 was received. Such record-keeping system shall include a photograph  
28 of any jewelry received by such pawnbroker or person pursuant to this  
29 section. Such photograph shall be maintained by such pawnbroker or  
30 person for not less than sixty days after they have taken possession of  
31 such jewelry. Such record-keeping system and the place where such  
32 business is carried on and all articles of property therein may be  
33 examined at all times by any state police officer, by any municipal  
34 police officer, by the selectmen of the town or any person by them  
35 designated or, if such business is carried on in a city, by the chief of  
36 police of such city or any person by him designated. Any state police  
37 officer or municipal police officer of the town or city where the  
38 business is carried on who performs such an examination may require  
39 any employee on the premises to provide proof of his identity.

40 Sec. 2. Section 21-100 of the general statutes is repealed and the  
41 following is substituted in lieu thereof (*Effective October 1, 2009*):

42 (a) No person may engage in or carry on the business of purchasing  
43 gold or gold-plated ware, silver or silver-plated ware, platinum ware,  
44 watches, jewelry, precious stones or coins unless such person is  
45 licensed by the chief of police or, if there is no chief of police, the first  
46 selectman of the municipality in which such person intends to carry on  
47 such business; except that the provisions of this subsection shall not  
48 apply to the purchase of such items from a wholesaler by a

49 manufacturer or retail seller whose primary place of business is located  
50 in this state. Such person shall pay an annual fee of ten dollars for such  
51 license. The license may be revocable for cause, which shall include,  
52 but not be limited to, failure to comply with any requirements for  
53 licensure specified by the licensing authority at the time of issuance. A  
54 chief of police or first selectman shall refuse to issue a license under  
55 this subsection to a person who has been convicted of a felony. A chief  
56 of police or first selectman may require any applicant for a license to  
57 submit to state and national criminal history records checks. If the  
58 chief of police or first selectman requires such criminal history records  
59 checks, such checks shall be conducted in accordance with section 29-  
60 17a. For the purposes of this subsection "wholesaler" means a person in  
61 the business of selling tangible personal property to be resold at retail  
62 or raw materials to be manufactured into suitable forms for use by  
63 consumers.

64 (b) Each such licensed person shall keep a record in which he shall  
65 note at the time of each transaction a description of the goods  
66 purchased and the price paid for them, the name and address of the  
67 person selling the goods and the date and hour any such goods were  
68 received. Each such licensed person shall demand positive  
69 identification from the person selling the article and the type or form  
70 of identification received shall be noted in the record. Any state police  
71 officer or municipal police officer shall have access to the record  
72 required to be kept under this section and may inspect the place where  
73 the business is carried on as well as any goods purchased or received.

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

79 (d) At the time of making any purchase each licensed person shall  
80 deliver to the person selling goods a receipt containing the information

81 required to be recorded in subsection (b) of this section, the amount  
82 paid for any goods sold and the name and address of the purchaser.

83 (e) Upon request of the licensing authority each such licensed  
84 person shall make a weekly sworn statement, describing the goods  
85 received and setting forth the name and address of each person from  
86 whom goods were purchased, to the chief of police or first selectman  
87 of each municipality in which he transacted business that week. Such  
88 sworn statement shall not be deemed public records for the purposes  
89 of the Freedom of Information Act, as defined in section 1-200.

90 (f) Any goods purchased by a person licensed pursuant to this  
91 section shall be retained by such person for not less than forty-five  
92 days before resale or transfer or such goods.

93 ~~[(f)]~~ (g) Any person who violates any provision of this section shall  
94 be fined not more than one thousand dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	21-41
Sec. 2	<i>October 1, 2009</i>	21-100

**Statement of Purpose:**

To aid in the identification and recovery of stolen jewelry held by pawnbrokers and to protect against the fencing of precious metals and stones.

*[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.]*