



General Assembly

January Session, 2013

Raised Bill No. 1003

LCO No. 3835



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING SECONDHAND DEALERS.

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

1 Section 1. Section 21-39a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 As used in sections 21-39 to 21-47, inclusive, 21-47d, 21-47e and 21-
4 100:

5 (1) "Pawnbroker" means a person who is engaged in the business of
6 loaning money on the deposit or pledge of wearing apparel, jewelry,
7 ornaments, household goods or other personal property or purchasing
8 such property on condition of selling the same back again at a
9 stipulated price;

10 (2) "Precious metals or stones dealer" means a person who is
11 primarily engaged in the business of purchasing gold or gold-plated
12 ware, silver or silver-plated ware, platinum ware, watches, jewelry,
13 precious stones, bullion or coins;

14 (3) "Secondhand dealer" means a person who is primarily engaged

15 in the business of purchasing personal property of any type from a
16 person who is not a wholesaler, for the purpose of reselling or
17 exchanging such property, and has physical possession of such
18 property, other than an antiques dealer, art dealer, coin and stamp
19 dealer, precious metals or stones dealer, pawnbroker, consignment
20 shop operator, special collectibles dealer, musical instrument dealer,
21 used book dealer, used clothing dealer, used children's products
22 dealer, dealer in motor vehicles as described in chapter 246, auctioneer
23 as described in chapter 403, junk dealer, as defined in section 21-9,
24 scrap metal processor, as defined in section 14-67w, recycling facility,
25 as defined in section 22a-207, bona fide charitable or religious
26 corporation, or any retailer that is primarily engaged in the business of
27 selling new items but also gives consideration other than cash in
28 exchange for one or more items traded in to such retailer;

29 (4) "Antiques dealer" means a person who is primarily engaged in
30 the business of buying and selling items collected or desirable due to
31 age, rarity, condition or some other unique feature;

32 (5) "Art dealer" means a person who is primarily engaged in the
33 business of buying and selling illustrative and decorative paintings,
34 drawings, photographs, prints, sculptures or other works in the
35 graphic or plastic arts, or decorative or artistic objects;

36 (6) "Coin and stamp dealer" means a person who is primarily
37 engaged in the business of buying and selling coins, stamps, currency
38 or rare documents collected or desirable due to age, rarity, condition or
39 some other unique feature;

40 (7) "Consignment shop operator" means a person who is primarily
41 engaged in the business of selling personal property as the agent of
42 another person who has placed such property in the physical
43 possession of the agent when such other person has not been paid for
44 such property, retains legal title to such property and bears the risk of
45 loss until such property is sold to a third person;

46 (8) "Special collectibles dealer" means a person who is primarily
47 engaged in the business of buying or selling a distinctive type of
48 manufactured item of limited supply designed for persons to collect or
49 that possesses attractive characteristics, rarity, uniqueness, production
50 faults or other distinctive characteristics necessary to cause a person to
51 save it for hobby, display or investment purposes, without regard to its
52 value or practical use, including, but not limited to, china, glass, toys,
53 militaria, sports memorabilia, movie memorabilia, railroad
54 memorabilia, models, comic books, dolls, figurines or other items of
55 interest to a discrete group of persons, excluding antiques, coins,
56 stamps, works of art, books, jewelry or precious metals;

57 (9) "Musical instruments dealer" means a person who is primarily
58 engaged in the business of buying and selling new and used musical
59 instruments and accessories;

60 (10) "Used book dealer" means a person who is primarily engaged
61 in the business of buying and selling books previously sold at retail
62 from persons other than a publisher or wholesaler;

63 (11) "Wholesaler" means a person engaged in the business of buying
64 property in large quantities and reselling the property in the same or
65 smaller quantities to persons who resell the property to the ultimate
66 consumer;

67 (12) "Licensing authority" means the chief of police of any town or
68 city or, if such town or city does not have an organized local police
69 department, the Commissioner of Emergency Services and Public
70 Protection; [and]

71 (13) "Person" means an individual, corporation, limited liability
72 company, partnership or association;

73 (14) "Used clothing dealer" means a person who is primarily
74 engaged in the business of buying and selling clothing previously
75 purchased from a source other than a wholesaler; and

76 (15) "Used children's products dealer" means a person who is
77 primarily engaged in the business of buying and selling children's
78 products, excluding products regulated by the federal Food and Drug
79 Administration, previously purchased from a source other than a
80 wholesaler.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	21-39a

Statement of Purpose:

To exclude businesses that primarily engage in buying and selling clothing or children's products from sources other than wholesalers from the licensing, record-keeping and other requirements that apply to secondhand 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.]