



Substitute Senate Bill No. 1003

Public Act No. 13-160

AN ACT CONCERNING SECONDHAND DEALERS.

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

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 Section 21-39a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

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

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

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

(3) "Secondhand dealer" means a person who is primarily engaged in the business of purchasing personal property of any type from a person who is not a wholesaler, for the purpose of reselling or exchanging such property, and has physical possession of such

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property, other than an antiques dealer, art dealer, coin and stamp dealer, precious metals or stones dealer, pawnbroker, consignment shop operator, special collectibles dealer, musical instrument dealer, used book dealer, used clothing dealer, used children's products dealer, used sporting equipment dealer, dealer in motor vehicles as described in chapter 246, auctioneer as described in chapter 403, junk dealer, as defined in section 21-9, scrap metal processor, as defined in section 14-67w, recycling facility, as defined in section 22a-207, bona fide charitable or religious corporation, or any retailer that is primarily engaged in the business of selling new items but also gives consideration other than cash in exchange for one or more items traded in to such retailer;

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

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

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

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

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

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

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

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

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

(13) "Used sporting equipment dealer" means a person who is primarily engaged in the business of buying and selling sporting equipment previously purchased from a source other than a wholesaler;

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

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

[(13)] (16) "Person" means an individual, corporation, limited liability company, partnership or association.

Approved June 24, 2013