

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 263

S.P. 96

In Senate, February 5, 2013

**An Act To Require Dealers of Secondhand Precious Metals To Keep
Records To Aid Law Enforcement**

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senator: PATRICK of Oxford, Representatives: GILBERT of Jay, HERBIG
of Belfast, MASON of Topsham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §3972** is enacted to read:

3 **§3972. Records of sales of secondhand precious metals**

4 **1. Records required.** A dealer engaged in the purchase of secondhand precious
5 metals shall record the following information on each bill of sale before completing the
6 purchase of any secondhand precious metals:

7 A. The date, time and place of receiving the items purchased;

8 B. The seller's name and address;

9 C. A complete description of the precious metals purchased from the seller,
10 including any identification numbers, names, initials, serial numbers or identifying
11 marks on each item purchased and the weight;

12 D. The consideration paid; and

13 E. A signed statement of ownership from the seller.

14 Before recording the information required by this subsection, a dealer shall require
15 reasonable proof of the seller's identification in the form of a government-issued
16 identification card such as a motor vehicle operator's license or military identification
17 card.

18 For purposes of this section, "precious metals" means any item, except coins, composed
19 in whole or in part of gold or silver.

20 **2. Form of records.** The records required under subsection 1 must be kept for a
21 period of one year for the purpose of complying with this section, maintained in order by
22 date of purchase and contained either in a bound volume or ledger or in a binder in which
23 pages can be affixed.

24 **3. Availability for inspection.** Upon request by any law enforcement officer or
25 prosecuting attorney, a dealer in secondhand precious metals shall promptly make
26 available for inspection at the dealer's principal place of business the records required
27 under subsection 1.

28 **4. Violations.** A dealer who violates any of the requirements of this section or a
29 seller who provides false identification or false statement of ownership to a dealer is
30 guilty of a Class E crime.

31 **SUMMARY**

32 This bill requires every dealer engaged in the purchase of secondhand precious
33 metals to record specific information on each bill of sale before completing the purchase
34 of any secondhand precious metals. The bill requires dealers engaged in the purchase of
35 secondhand precious metals to maintain these records for one year and to make the
36 records available to law enforcement or a prosecuting attorney.