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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 555

Session of  
1981

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INTRODUCED BY E. Z. TAYLOR, PITTS, VROON, E. H. SMITH, HAGARTY,  
ROCKS, NAHILL, WILT, DAVIES, LEHR, ANDERSON, GALLEN, BOWSER,  
SIRIANNI, CORNELL, CIMINI, PETERSON, SALVATORE, BURNS,  
SIEMINSKI, ARTY, EARLEY, GLADECK, SPITZ AND COHEN,  
FEBRUARY 10, 1981

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REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE,  
FEBRUARY 10, 1981

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AN ACT

1 Regulating certain aspects of the precious metals, jewelry and  
2 coin purchasing business, requiring registration by certain  
3 persons and providing penalties.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Registration required.

7 (a) Any person that purchases precious metals, jewelry or  
8 coins from the public on any basis other than a casual  
9 transaction shall register with the district attorney of each  
10 county in which such person transacts business. The registration  
11 statement and its contents shall be prescribed and supplied by  
12 the Attorney General.

13 (b) As used in this act "precious metals, jewelry or coins,"  
14 means ten karat or finer gold, coin or sterling silver with a  
15 fineness of .800 or better, precious gems and gold or silver  
16 coins, or any combination of these items.

1 Section 2. Information forms and filing.

2 (a) Any person subject to the registration requirements of  
3 section 1 shall, when purchasing or otherwise acquiring any  
4 precious metals, jewelry or coins, obtain the following  
5 information from the owner of such property:

6 (1) The name, current address and telephone number of  
7 the owner, as evidenced by two documents of identification.

8 (2) Date and time of transaction.

9 (3) An accurate description of each item.

10 (4) Source of acquisition.

11 (5) The name, current address and telephone number of  
12 the purchaser of such property.

13 (6) Such other information as the Attorney General shall  
14 by regulation require.

15 (b) The information required under subsection (a) shall be  
16 provided on a form supplied and established by regulation by the  
17 Attorney General. The information shall be made under penalty of  
18 prosecution pursuant to 18 Pa.C.S. § 4904(b) (relating to  
19 unsworn falsification to authorities).

20 (c) Within seven days of the acquisition of precious metals,  
21 jewelry or coins by a person subject to section 1, the report  
22 required by this section shall be forwarded by first class mail  
23 to the district attorney's office in the county in which the  
24 transaction occurred. The district attorney's office shall  
25 maintain a file of these reports for a period of three years  
26 after their receipt and shall make them available to law  
27 enforcement agencies and insurance companies when such access is  
28 deemed necessary by the Attorney General or district attorney  
29 for the proper investigation of any criminal or fraudulent  
30 activity.

1 Section 3. Temporary retention of property.

2 All precious metals, jewelry and coins acquired by a person  
3 subject to section 1 shall be retained by him for a period of  
4 ten days and shall be subject to examination by the Attorney  
5 General or district attorney or any person authorized in writing  
6 by either of them.

7 Section 4. Local Government provisions.

8 Nothing in this act shall prevent any county or municipality  
9 from enacting legislative provisions which would be more strict  
10 than those contained in this act.

11 Section 5. Penalties.

12 (a) Any person required to register pursuant to section 1  
13 who fails to do so before transacting business in precious  
14 metals and jewelry as regulated by this act commits:

15 (1) A summary offense if the violation is his first  
16 conviction under this act.

17 (2) A misdemeanor of the third degree if the violation  
18 is a second or subsequent conviction under this act.

19 (b) Any person required to register under section 1 who  
20 fails to file any report required by section 2 commits a summary  
21 offense. Each failure to file constitutes a separate offense.

22 (c) Any person required to retain precious metals, jewelry  
23 or coins for the ten-day period required by section 3 and who  
24 fails to do so or who refuses a lawful demand to inspect such  
25 property commits a misdemeanor of the third degree.

26 Section 6. Effective date.

27 This act shall take effect in 60 days and shall be applicable  
28 30 days following final adoption of implementing regulations and  
29 forms by the Attorney General.