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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 573 Session of  
2015

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INTRODUCED BY CONKLIN, V. BROWN, COHEN, KOTIK, McNEILL, MURT AND  
THOMAS, FEBRUARY 23, 2015

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 23, 2015

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AN ACT

1 Amending the act of February 24, 1984 (P.L.92, No.17), entitled  
2 "An act regulating the purchase and sale of precious metals,"  
3 defining "permanent place of business"; further providing for  
4 license required; and providing for location of transactions.

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

7 Section 1. Section 1 of the act of February 24, 1984  
8 (P.L.92, No.17), referred to as the Precious Metal Sale  
9 Regulation Law, is amended by adding a definition to read:

10 Section 1. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 \* \* \*

15 "Permanent place of business." A property or retail space  
16 rented or leased by a dealer in precious metals at market price  
17 for a period of at least 12 months or owned by a dealer in  
18 precious metals for the purpose of selling, trading or  
19 purchasing precious metals.

1 \* \* \*

2 Section 2. Section 2 of the act is amended by adding a  
3 subsection to read:

4 Section 2. License required.

5 \* \* \*

6 (f) Permanent place of business.--An application must  
7 include evidence that the applicant maintains a permanent place  
8 of business. Evidence of maintenance of a permanent place of  
9 business may include, but is not limited to, a rental or lease  
10 agreement or deed of real property.

11 Section 3. The act is amended by adding a section to read:  
12 Section 2.1. Location of transactions.

13 (a) General rule.--All transactions for the sale, trade or  
14 purchase of precious metals shall be conducted on the premises  
15 of a permanent place of business.

16 (b) Exceptions.--The following are exceptions to this  
17 section:

18 (1) A licensed dealer in precious metals may conduct  
19 business at a coin show or any other trade show that is  
20 sponsored by a coin club that is nationally recognized or  
21 headquartered in Pennsylvania where precious metals will be  
22 sold, traded or purchased so long as the number of days in  
23 which the dealer engages in offsite transactions does not  
24 exceed six per month.

25 (2) The sale of precious metals by a licensed auctioneer  
26 at any time during an actual auction under the act of  
27 December 22, 1983 (P.L.327, No.85), known as the Auctioneer  
28 and Auction Licensing Act, shall not be affected by the  
29 provisions of this act.

30 (3) The sale of precious metals as part of liquidation

1 of assets in a Chapter 7 bankruptcy under 11 U.S.C. Ch. 7  
2 (relating to liquidation) shall not be affected by the  
3 provisions of this act.

4 (4) The sale of precious metals by a licensed pawnbroker  
5 in compliance with the act of April 6, 1937 (P.L.200, No.51),  
6 known as the Pawnbrokers License Act, shall not be affected  
7 by the provisions of this act.

8 Section 4. This act shall take effect in 60 days.