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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 579 Session of  
2015

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INTRODUCED BY SACCONI, V. BROWN, GODSHALL, COHEN, IRVIN AND  
MOUL, 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 further providing for definitions, for license required, for  
4 records of transactions, for dealer's retention of precious  
5 metal and availability for inspection and for purchases from  
6 minors.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

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

12 Section 1. Definitions.

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

16 \* \* \*

17 "Proof of identity." An unexpired document issued by the  
18 Federal Government, the Commonwealth or any other state  
19 government, the District of Columbia, the Commonwealth of Puerto  
20 Rico or any United States territory that includes all of the

1 following:

2 (1) The name, age and address of the seller.

3 (2) A photograph of the seller.

4 (3) An expiration date.

5 \* \* \*

6 Section 2. Sections 2(e), 3(a), 4(a) and (b) and 5 of the  
7 act are amended to read:

8 Section 2. License required.

9 \* \* \*

10 (e) Application to be public record.--[Such] A dealer's  
11 annual license application shall be a public record maintained  
12 at the dealer's place of business and shall be made available  
13 to the general public for inspection upon request.

14 Section 3. Records of transactions.

15 (a) Dealers to keep record.--Every dealer in precious metals  
16 shall keep a record of every transaction upon a form approved by  
17 the Attorney General. The record shall include as a minimum:

18 (1) [The name, age and address of the seller which must  
19 be verified by said dealer, requiring proof of identity from  
20 the seller sufficient to insure the accuracy of the  
21 represented name and address] A photocopy of the proof of  
22 identity of the seller. If the seller is under 18 years of  
23 age, written authority by the seller's parent, guardian or  
24 person in loco parentis shall also be required.

25 (2) An accurate description of the property purchased,  
26 including any serial number or other identifying marks or  
27 symbols [and], the date and hour of the transaction[.] and a  
28 photograph of each item purchased. The photograph shall be of  
29 sufficient size and clarity to identify any distinguishing  
30 details of a purchased item, including identifying marks,

1 initials or inscriptions.

2 \* \* \*

3 Section 4. Dealer's retention of precious metal and  
4 availability for inspection.

5 (a) Precious metal to be retained for [five] ten days.--Each  
6 item of precious metal purchased by a dealer in precious metals  
7 shall be retained in unaltered condition for [five] ten full  
8 working days after report of its purchase has been filed with  
9 the proper district attorney or his designee.

10 (b) Precious metal to be available for inspection.--Such  
11 item of precious metal shall be available for inspection, during  
12 the [five] ten working days, by law enforcement officials of the  
13 Federal Government, the Commonwealth or any of its  
14 municipalities in the course of their law enforcement duties. A  
15 search warrant shall not be required unless the inspection is  
16 made during hours other than those when the dealer in precious  
17 metals is open for business.

18 \* \* \*

19 Section 5. Purchases from minors.

20 The dealer in precious metals shall require any minor seeking  
21 to sell precious metals to produce proof of identity and written  
22 authority of a parent, guardian or person in loco parentis  
23 authorizing the sale of such precious metals. [Such  
24 authorization shall give the name and address of authorizing  
25 person.] The dealer in precious metals shall verify that such  
26 sale is authorized by [inquiry of such] contacting the parent,  
27 guardian or person in loco parentis. Minors shall be required to  
28 wait three full working days before receiving payment from the  
29 sale of precious metals.

30 Section 3. This act shall take effect in 60 days.