
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 427 Session of
2015

INTRODUCED BY GREENLEAF, MCGARRIGLE, VULAKOVICH, BAKER, SCHWANK,
WHITE, HUGHES, MENSCH, RAFFERTY AND STEFANO,
FEBRUARY 12, 2015

REFERRED TO JUDICIARY, FEBRUARY 12, 2015

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 dealer's retention of precious metal
4 and availability for inspection.

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

7 Section 1. Section 4 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 to read:

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

12 (a) Precious metal to be retained for [five] ten days.--Each
13 item of precious metal purchased by a dealer in precious metals
14 shall be retained in unaltered condition for [five] ten full
15 working days after report of its purchase has been filed with
16 the proper district attorney or [his] the district attorney's
17 designee.

18 (b) Precious metal to be available for inspection.--Such

1 item of precious metal shall be available for inspection, during
2 the [five] ten working days, by law enforcement officials of the
3 Federal Government, the Commonwealth or any of its
4 municipalities in the course of their law enforcement duties. A
5 search warrant shall not be required unless the inspection is
6 made during hours other than those when the dealer in precious
7 metals is open for business.

8 (c) Law enforcement officials to give notice when they
9 believe item was stolen.--If a law enforcement official has
10 probable cause to believe an item of precious metal has been
11 stolen, [he] the law enforcement officer may [give written
12 notice to the dealer in precious metals. Upon receipt of such
13 written notice, such dealer in precious metals shall retain the
14 item in unaltered condition for an additional seven days, unless
15 the law enforcement officer in writing recalls such notice.]
16 seize and retain the item in unaltered condition for a period of
17 no more than 30 days to determine whether or not the item was
18 stolen. The law enforcement officer shall provide notice to the
19 dealer upon seizing the item.

20 (d) Court may order [dealer to retain items] disposition of
21 items.--Upon application of the district attorney, any court of
22 proper jurisdiction, under its powers presently prescribed by
23 law, may order [the dealer in precious metals to retain such
24 item or items of precious metal at such place and under such
25 conditions as the court may decree.] that a law enforcement
26 officer:

27 (1) may retain an item of precious metal for a period of
28 more than 30 days; or

29 (2) shall return an item of precious metal to the
30 dealer.

1 (e) Where items to be retained.--Each item of precious metal
2 to be retained, pursuant to this section, shall be retained
3 within the county of purchase [at the location where purchased
4 by the dealer in precious metals], unless authorized in writing
5 by the district attorney or his designee to be retained
6 elsewhere.

7 Section 2. This act shall take effect immediately.