CHIEF OF POLICE
ROBERT J. GAGNE

ASSISTANT CHIEF
EDWARD A. KOETHER

ORANGE DEPARTMENT OF POLICE SERVICE

Purchaser of Precious Metals and Gemstones License Application Information

1.) Choose and complete the appropriate application (business/personal)

2.) Make an appointment with the Orange Police Records Division to submit application and be fingerprinted. The Records Division can be reached by phone at 203.891.2134 (M-F 9a-4p), or via email: opdrecords@snet.net

3.) At the time of your appointment, submit $10 application fee. Checks/money orders should be made payable to: **Town of Orange**

4.) Also at the time of your appointment, submit fingerprint fees. There are two sets of fingerprints to be taken from every applicant, one for the FBI and one for the Connecticut State Police. This requires two (separate) certified checks or money orders.

- Both payments should be made payable to: **Treasurer- State of CT.**
- One check/money order should be in the amount of $50.00
- The other check/money order should be in the amount of $16.50

5.) Bring photo identification to your application appointment.

6.) Your application will take approximately four to six weeks to process. This time frame is largely determined by the fingerprint submissions.

7.) Licenses will be valid for a term of one year. Renewal applications should be made at least ninety days before any current license expires.

8.) Comply with the regulations set forth by Public Act 11-100 and the stipulations presented by the licensing authority at the time of application.

Rev. 3/2012

ORANGE POLICE DEPARTMENT
License to Purchase Precious Metals and Stones
Individual Application

BUSINESS INFORMATION

Full Name of Business _____

Address _____

Bus. Phone _____

List all locations used or intended to be used to purchase, sell, store, or receive goods.

_____

_____

_____

List all websites or web accounts used to conduct business. _____

_____

_____

List all email addresses used to conduct business. _____

_____

INDIVIDUAL APPLICANT INFORMATION

Name _____

Address _____ Home Phone _____

Cell Phone _____ Email _____ @ _____

Date of Birth _____ Place of Birth _____ Gender _____

Height _____ Weight _____ Hair Color _____ Eye Color _____

Relationship to Entity ☐Owner ☐ Employee ☐ Officer ☐ Shareholder ☐Financial Backer ☐ Creditor

Current Occupation _____

List towns where currently or previously licensed _____

_____

_____

Residential Addresses for last five years

_____

_____

_____

_____

Previous Employment for last five years (Employer and Address)

_____

_____

_____

_____

Have you ever been arrested? ☐ No ☐ Yes (List arresting agency, date, charges, and disposition of the case)

_____

_____

_____

Use this space for additional information

The information submitted by me in this application is the truth. I agree that if I have falsified any item in this application, I will not be entitled to the license sought or the license may be revoked or suspended if information is found to be false after the license has been issued. I also fully understand that if I knowingly make a statement that is untrue and which is intended to mislead a law enforcement officer in the performance of his or her official function, I will be in violation of Section 53a-157 of the Connecticut General Statutes for False Statement and may be subject to arrest.

I declare under the penalties of False Statement, that the information supplied is true and correct.

Signature of Applicant

Printed Name of Applicant *Date*

ORANGE POLICE DEPARTMENT
License to Purchase Precious Metals and Stones
Business Application

BUSINESS INFORMATION

Full Name of Business _____

Address _____

Bus. Phone _____

Business is a(n) ☐Corporation ☐Limited Liability Company ☐Partnership ☐Association

List all locations used or intended to be used to purchase, sell, store, or receive goods.

_____

_____

_____

List all websites or web accounts used to conduct business. _____

_____

_____

List all email addresses used to conduct business. _____

_____

APPLICANT INFORMATION

Name _____

Address _____ Home Phone _____

Cell Phone _____ Email _____ @ _____

Date of Birth _____ Place of Birth _____ Gender _____

Height _____ Weight _____ Hair Color _____ Eye Color _____

Relationship to Entity ☐Owner ☐Employee ☐ Officer ☐ Shareholder ☐Financial Backer ☐ Creditor

Current Occupation _____

List towns where currently or previously licensed _____

_____

_____

Residential Addresses for last five years

_____

_____

_____

_____

Previous Employment for last five years (Employer and Address)

_____

_____

_____

_____

Have you ever been arrested? ☐ No ☐ Yes (List arresting agency, date, charges, and disposition of the case)

_____

_____

_____

On the back of this form, please list all employees, principals in business, officers, shareholders, financial backer or creditors.

Please list all employees, principals in business, officers, shareholders, financial backer or creditors.

Full Name	*Address*	*Date of Birth*

Use this space for additional information _____

The information submitted by me in this application is the truth. I agree that if I have falsified any item in this application, I will not be entitled to the license sought or the license may be revoked or suspended if information is found to be false after the license has been issued. I also fully understand that if I knowingly make a statement that is untrue and which is intended to mislead a law enforcement officer in the performance of his or her official function, I will be in violation of Section 53a-157 of the Connecticut General Statutes for False Statement and may be subject to arrest.

I declare under the penalties of False Statement, that the information supplied is true and correct.

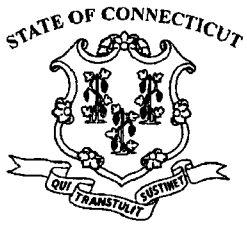
_____

Signature of Applicant

_____ _____

Printed Name of Applicant *Date*

Subscribed and sworn to before me, this_____ Day of_____ 20_____.



Substitute House Bill No. 5795

Public Act No. 11-100

AN ACT CONCERNING THE LICENSING AND RECORD KEEPING OF PAWNBROKERS, SECONDHAND DEALERS AND PRECIOUS METALS OR STONES DEALERS, THE RETENTION OF CERTAIN GOODS AND CERTAIN FEES CHARGED BY PAWNBROKERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2011*) As used in this section, sections 10 and 11 of this act, sections 21-39 to 21-47, inclusive, of the general statutes, as amended by this act, and section 21-100 of the general statutes, as amended by this act:

(1) "Pawnbroker" means a person who is engaged in the business of loaning money on the deposit or pledge of wearing apparel, jewelry, ornaments, household goods or other personal property or purchasing such property on condition of selling the same back again at a stipulated price;

(2) "Precious metals or stones dealer" means a person who is primarily engaged in the business of purchasing gold or gold-plated ware, silver or silver-plated ware, platinum ware, watches, jewelry, precious stones, bullion or coins;

(3) "Secondhand dealer" means a person who is primarily engaged in the business of purchasing personal property of any type from a

person who is not a wholesaler, for the purpose of reselling or exchanging such property, and has physical possession of such property, other than an antiques dealer, art dealer, coin and stamp dealer, precious metals or stones dealer, pawnbroker, consignment shop operator, special collectibles dealer, musical instrument dealer, used book dealer, dealer in motor vehicles as described in chapter 246 of the general statutes, auctioneer as described in chapter 403 of the general statutes, junk dealer, as defined in section 21-9 of the general statutes, as amended by this act, scrap metal processor, as defined in section 14-67w of the general statutes, recycling facility, as defined in section 22a-207 of the general statutes, bona fide charitable or religious corporation, or any retailer that is primarily engaged in the business of selling new items but also gives consideration other than cash in exchange for one or more items traded in to such retailer;

(4) "Antiques dealer" means a person who is primarily engaged in the business of buying and selling items collected or desirable due to age, rarity, condition or some other unique feature;

(5) "Art dealer" means a person who is primarily engaged in the business of buying and selling illustrative and decorative paintings, drawings, photographs, prints, sculptures or other works in the graphic or plastic arts, or decorative or artistic objects;

(6) "Coin and stamp dealer" means a person who is primarily engaged in the business of buying and selling coins, stamps, currency or rare documents collected or desirable due to age, rarity, condition or some other unique feature;

(7) "Consignment shop operator" means a person who is primarily engaged in the business of selling personal property as the agent of another person who has placed such property in the physical possession of the agent when such other person has not been paid for such property, retains legal title to such property and bears the risk of

loss until such property is sold to a third person;

(8) "Special collectibles dealer" means a person who is primarily engaged in the business of buying or selling a distinctive type of manufactured item of limited supply designed for persons to collect or that possesses attractive characteristics, rarity, uniqueness, production faults or other distinctive characteristics necessary to cause a person to save it for hobby, display or investment purposes, without regard to its value or practical use, including, but not limited to, china, glass, toys, militaria, sports memorabilia, movie memorabilia, railroad memorabilia, models, comic books, dolls, figurines or other items of interest to a discrete group of persons, excluding antiques, coins, stamps, works of art, books, jewelry or precious metals;

(9) "Musical instruments dealer" means a person who is primarily engaged in the business of buying and selling new and used musical instruments and accessories;

(10) "Used book dealer" means a person who is primarily engaged in the business of buying and selling books previously sold at retail from persons other than a publisher or wholesaler;

(11) "Wholesaler" means a person engaged in the business of buying property in large quantities and reselling the property in the same or smaller quantities to persons who resell the property to the ultimate consumer;

(12) "Licensing authority" means the chief of police of any town or city or, if such town or city does not have an organized local police department, the Commissioner of Public Safety; and

(13) "Person" means an individual, corporation, limited liability company, partnership or association.

Sec. 2. Section 21-39 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2011*):

No person [, corporation, limited liability company or partnership] shall, in any city or town of this state, engage in or carry on the business of [loaning money upon deposits or pledges of wearing apparel, jewelry, ornaments, household goods or other personal property, or of purchasing such property on condition of selling the same back again at a stipulated price, unless such person, corporation, limited liability company or partnership is licensed as] a pawnbroker unless such person is licensed in accordance with section 21-40, as amended by this act; but the provisions of this chapter shall apply only if such property is deposited with a lender, and shall not apply to loans made upon stock, bonds, notes or other written or printed evidence of ownership of property or of indebtedness to the holder or owner of any such securities.

Sec. 3. Section 21-40 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) The [selectmen] licensing authority of any town [and the chief of police of any] or city may grant licenses to suitable persons to be pawnbrokers [and to carry on the business of lending money on the deposit or pledge of personal property, or of purchasing such property on condition of selling it back again at a stipulated price, or of purchasing such property from a person who is not a wholesaler,] in such town or city respectively, and may suspend or revoke such licenses for cause, [; but the selectmen shall not grant such licenses for the carrying on of such business within the limits of any city] which shall include, but not be limited to, failure to comply with any requirements for licensure specified by the licensing authority at the time of issuance.

(b) The person so licensed shall pay, for the benefit of any such city or town, respectively, or if the licensing authority of such city or town

is the Commissioner of Public Safety, for the benefit of the Department of Public Safety, to the licensing authority [granting such license] a license fee of fifty dollars, and twenty-five dollars per year thereafter for renewal of such license, and shall, at the time of receiving such license, file, with the [mayor of such city or the first selectman] licensing authority of such city or town, a bond to such city or town, with competent surety, in the penal sum of two thousand dollars, to be approved by such licensing authority, and conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed, unless such person is also licensed as a secondhand dealer in accordance with section 10 of this act, in which case the licensing authority shall waive the payment of renewal fees and filing of a bond required by this subsection.

(c) Each such license shall designate the place where such business is to be carried on and shall [continue] be in effect for one year unless sooner suspended or revoked. Such license shall be displayed in a conspicuous location in the place where such business is carried on. At the time of application for such license and each renewal thereof, the applicant shall disclose to the licensing authority all places used or intended to be used by the business for the purchase, receipt, storage or sale of property. During the term of such license, the licensee shall notify the licensing authority of any additional places that will be used by the business for the purchase, receipt, storage or sale of property prior to such use.

(d) An application for such license shall be made in writing, under oath. The application shall contain: (1) The type of business to be engaged in, (2) the applicant's full name, age and date and place of birth, (3) the applicant's residence addresses and places of employment within the preceding five years, (4) the applicant's present occupation, (5) any crime of which the applicant has been convicted and the date and place of such conviction, and (6) such additional information as

the licensing authority deems necessary to investigate the qualifications, character, competency and integrity of the applicant. If the applicant is a corporation, limited liability company, partnership or association, the application shall contain the information required by this subsection for each individual who is or will be an officer, shareholder, financial backer or creditor, other than a financial institution, of such entity or any other individual with a relationship to such entity similar to that of an officer, shareholder, financial backer or creditor.

(e) The application for such license and any renewal thereof shall contain information on any Internet web site or account used by such applicant to conduct the business. During the term of the license, the licensee shall notify the licensing authority in writing of the addition or discontinuation of any Internet web sites or accounts used to conduct the business.

(f) No license shall be issued under this section by the [selectmen or chief of police] licensing authority to any person who has been convicted of a felony. [The selectmen or chief of police may require any applicant for a license under this section to submit to state and national criminal history records checks. If the selectmen or chief of police require such criminal history records checks, such checks] The licensing authority may require any applicant, employee or person with an ownership interest in the business to submit to state and national criminal history records checks. Whenever the licensing authority requires such criminal history records checks, such individual shall submit two complete sets of fingerprints on forms prescribed by the licensing authority. Any criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a. The licensing authority may charge the individual a fee equal to the fees established by the Federal Bureau of Investigation and the State Police Bureau of Identification for

performing such criminal history records checks.

(g) The licensing authority shall grant or deny an application for a license not later than ninety days after the filing of such application with the licensing authority. A licensee seeking renewal of such license shall file an application for renewal at least sixty days before the expiration of such license and the licensing authority shall grant or deny such renewal not later than thirty days after the filing of such application for renewal. Failure of the licensing authority to act on such initial application or renewal application within the applicable period specified in this subsection shall be deemed to be a denial. The licensing authority may suspend, revoke or modify any license issued under this section at any time during the period of the license for good cause shown, upon notice to the licensee and following a hearing. The licensing authority shall hold any such hearing not later than five days after the date of issuance of such notice, and shall issue a decision not more than fourteen days after any hearing. Any person aggrieved by any action of the licensing authority in denying, suspending, revoking, modifying or refusing to renew a license issued pursuant to this section may appeal from such action to the Superior Court.

Sec. 4. Section 21-41 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) No pawnbroker [or person who loans money on the deposit or pledge of wearing apparel, jewelry, ornaments, household goods or other personal property or purchases such property on condition of selling the same back again at a stipulated price or purchases such property from a person who is not a wholesaler] shall take, receive or purchase [such] tangible personal property without receiving proof of the identity of the person depositing, pledging or selling the property. Such identification shall include a photograph, an address, if available on the identification, and an identifying number, including, but not limited to, date of birth. [Any person who wilfully violates any

provision of this subsection shall, for a first violation, have committed an infraction and, for a second or subsequent violation committed within two years of a prior violation, be guilty of a class A misdemeanor.] No pawnbroker shall enter into any pledge or purchase transaction with a minor unless such minor is accompanied by such minor's parent or guardian.

(b) Each such pawnbroker [or person carrying on such business of loaning money on the deposit or pledge of personal property or of purchasing such property on condition of selling the same back again at a stipulated price or of purchasing such property from a person who is not a wholesaler] shall maintain a computerized record-keeping system deemed appropriate by the [chief of police in cities and by the selectmen in towns] licensing authority, in which shall be entered in English, at the time [he] the pawnbroker receives any article of personal property by way of pledge, [pawn] deposit or purchase, a description of such article, the name, residence address, proof of identity as required in subsection (a) of this section and a general description of the person from whom, and the [day] date and hour when, such property was received and in which, if the property does not contain any identifiable numbers or markings, shall be included a digital photograph of each article. Each entry in the record-keeping system shall be numbered consecutively. A tag shall be attached to the article in a visible and convenient place with a number written on such tag corresponding to the entry number in the record-keeping system and shall remain attached to the article until the article is sold or otherwise disposed of, provided the licensing authority shall prescribe procedures authorizing the removal of such tags from articles, including those articles consisting of jewelry that are cleaned and repaired on the premises by the pawnbroker, that will provide accountability for such articles. Such tag shall be visible in a digital photograph taken in accordance with this section. Such record-keeping system and the place where such business is carried on and all articles

of property therein may be examined at all times by any state police officer, [by any] municipal police officer, [by] the [selectmen of the town] licensing authority or any person by them designated. [or, if such business is carried on in a city, by the chief of police of such city or any person by him designated.] Any state police officer or municipal police officer [of the town or city where the business is carried on] who performs such an examination may require any employee on the premises to provide proof of [his] the employee's identity. All records maintained pursuant to this section shall be retained by the pawnbroker for not less than two years.

(c) Except as provided in subsection (d) of this section, the description of any property received by a pawnbroker under this section shall include, but shall not be limited to, all distinguishing marks, names of any kind, including brand and model names, model and serial numbers, engravings, etchings, affiliation with any institution or organization, dates, initials, color, vintage or image represented. Any description of audio, video or electronic media of any kind shall also include the title and artist or any other identifying information contained on the cover or external surface of such media.

(d) The licensing authority may provide for an exemption from, or establish additional or different requirements than, the requirements of subsection (c) of this section upon consideration of the nature of the property, transaction or business, including, but not limited to, articles in bulk lots or articles of minimal value.

Sec. 5. Section 21-42 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) Each such pawnbroker shall, at the time of making any loan on a pawn or pledge of personal property or of purchasing such property on condition of selling the same back again at a stipulated price [or of purchasing such property from a person who is not a wholesaler,]

deliver to the person who [pawns] deposits, pledges or sells such property a memorandum or note containing (1) the entry required to be made in [his] such pawnbroker's computerized record-keeping system by the provisions of section 21-41, as amended by this act, (2) a copy of the statement signed by the person who deposits, pledges or sells such property that represents and warrants that such property is not stolen and has no liens or encumbrances against it, and that such person is the rightful owner of such property and has the right to enter into the transaction, and (3) a copy of the statement signed by the person who deposits, pledges or sells such property that states such person will indemnify and hold harmless such pawnbroker for any loss arising from the transaction because of a superior right of possession to the property residing with a third person. Each such pawnbroker may charge the person who deposits, pledges or sells such property a fee for such memorandum or note, the processing and recording of the transaction, the storage of the property, any insurance for the property and any appraisal of the property. Each such pawnbroker shall pay for any property received by [pawn] deposit, pledge or purchase only by check, draft or money order and shall not pay cash for any such property except when the pawnbroker cashes a check, draft or money order for the person who is [pawning] depositing, pledging or selling the property. When the pawnbroker cashes a check, draft or money order, [he] such pawnbroker shall require proof of the identity of the person presenting the check, draft or money order in accordance with subsection (a) of section 21-41, as amended by this act. [Any person who wilfully violates any provision of this section shall be guilty of a class A misdemeanor.]

(b) Each check, draft or money order used to pay for property received by a pawnbroker shall contain the number or numbers associated with such property in the record-keeping system maintained in accordance with section 21-41, as amended by this act. Whenever payment is made by check, the pawnbroker shall retain the

electronic copy of such check or other record issued by the financial institution that processed such check, and such copy or record shall be subject to inspection pursuant to section 21-41, as amended by this act, as part of such record-keeping system. No pawnbroker shall cash any check, draft or money order issued by such pawnbroker in an amount in excess of one thousand dollars and no person shall structure any transaction or transactions to avoid this prohibition. Any transaction or transactions between a pawnbroker and the same party within a twenty-four-hour period shall be aggregated and considered a single transaction for the purposes of this subsection.

Sec. 6. Section 21-43 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

Each [such] pawnbroker shall [make, weekly] submit to the licensing authority, weekly, or more frequently as determined by the licensing authority upon consideration of the volume and nature of the business, a sworn statement of his or her transactions, describing the [goods] property received and setting forth the nature and terms of each transaction and the name and residence address and a description of the person from whom the [goods were] property was received. [, to the chief of police in cases of cities and boroughs, and in other cases to the town clerk of the town in which such pawnbroker resides. Any such pawnbroker who wilfully fails to make the report required by this section shall be fined not more than one hundred dollars.] Such statement shall be in an electronic format prescribed by the licensing authority. The licensing authority may grant an exemption from the requirement of submitting such statement in electronic format for good cause shown.

Sec. 7. Section 21-45 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

No pawnbroker shall sell or dispose of any personal property left

with [him] such pawnbroker in deposit or pledge for money loaned or as a result of the purchase of such property on condition of selling the same back again at a stipulated price in less than [two months] sixty days from the [day] date when the same is left in deposit or pledge [as aforesaid] or purchased on condition of selling the same back again at a stipulated price, except when such sale or disposition is to the person who deposited, pledged or sold such property or an authorized agent of such person. All such property may be sold or disposed of at the [premises] place of business of such pawnbroker or at public sale after [advertisement in a daily newspaper published in the town in which such pawnbroker carries on business, at least once two days before the date of the sale or sales, which advertisement shall state the numbers of the pledge tickets representing the property offered for sale, and the date or dates when such tickets were issued.] such sixty-day period. Upon the expiration of sixty days from the date when such property is left with a pawnbroker, if the person who deposited or pledged such property fails to redeem any such property in accordance with the terms of the transaction, such right of redemption or repurchase on the part of the person who deposited or pledged such property shall be extinguished and the pawnbroker shall acquire the entire interest in the property that was held by the person who deposited or pledged such property prior to such deposit or pledge without further notice to such person.

Sec. 8. Section 21-46a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

Whenever property is seized from the [premises] place of business of a pawnbroker, precious metals or stones dealer or secondhand dealer by a law enforcement officer, such officer shall give the pawnbroker, precious metals or stones dealer or secondhand dealer a duly signed receipt for the property containing a case number, a description of the property, the reason for the seizure, the name and

address of the officer, the name and address of the person claiming a right to the property prior to the pawnbroker, precious metals or stones dealer or secondhand dealer and the name of the pawnbroker, precious metals or stones dealer or secondhand dealer. If the pawnbroker, precious metals or stones dealer or secondhand dealer claims an ownership interest in such property, he or she may request the return of such property by filing a request [therefor] for such property with the law enforcement agency in accordance with the provisions of section 54-36a. If the person who deposited, pledged or sold any property received by a pawnbroker or dealer is convicted of any offense arising out of such pawnbroker's or dealer's acquisition, retention or disposition of the property and such pawnbroker or dealer suffered an economic loss as a result of such offense, the court, at the time of sentencing, may order restitution to such pawnbroker or dealer pursuant to subsection (c) of section 53a-28 and such order may be enforced in accordance with section 53a-28a.

Sec. 9. Section 21-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) Any person [, corporation, limited liability company or partnership which] who wilfully engages in the business of a pawnbroker, [or in any business described in section 21-39,] unless licensed according to law, or after notice that [its] his or her license has been suspended or revoked, shall be guilty of a class D felony. [, and also shall forfeit treble the amount loaned on the property so pledged to any person injured thereby who sues therefor.]

(b) Any person [, corporation, limited liability company or partnership which] who wilfully violates any of the provisions of this chapter for which no other penalty is provided [or neglects to keep a record-keeping system in the English language or to make the entries therein as provided by law or refuses to allow the same to be inspected by the proper officers or receives an article of personal property by

way of pawn, pledge or purchase from any minor, knowing or having reason to believe him to be a minor,] shall be guilty of a class A misdemeanor.

Sec. 10. (NEW) (*Effective October 1, 2011*) (a) No person shall engage in the business of a secondhand dealer, as defined in section 1 of this act, in any city or town of this state unless such person is licensed in accordance with this section. The licensing authority of any city or town may grant a secondhand dealer license to any suitable person with a fixed place of business within the limits of such city or town. The provisions of this section shall not apply to any transaction involving the purchase of personal property of any type from a person who is not a wholesaler for the purpose of reselling or exchanging such property by (1) a bona fide charitable or religious corporation, or (2) a person conducting a garage sale, yard sale, tag sale or estate sale conducted entirely at a private residence, provided such sale does not exceed seventy-two hours in duration during any six-month period from the requirements of this section.

(b) Any person granted a license under subsection (a) of this section shall pay, for the benefit of the city or town, respectively, or if the licensing authority is the Commissioner of Public Safety, for the benefit of the Department of Public Safety, to the licensing authority a license fee of two hundred fifty dollars, and one hundred dollars per year thereafter, for renewal of such license, and shall, at the time of receiving such license, file, with the licensing authority, a bond to such city or town, with competent surety, in the amount of ten thousand dollars, to be approved by such licensing authority and conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed.

(c) Each such license shall designate the place where such business is to be carried on and shall be in effect for one year unless sooner suspended or revoked. Such license shall be displayed in a

conspicuous location in the place where such business is carried on. At the time of application for such license and each renewal thereof, the applicant shall disclose to the licensing authority all places used or intended to be used by the business for the purchase, receipt, storage or sale of property. During the term of such license, the licensee shall notify the licensing authority of any additional places that will be used by the business for the purchase, receipt, storage or sale of property prior to such use.

(d) An application for such license shall be made in writing, under oath. The application shall contain: (1) The type of business to be engaged in, (2) the applicant's full name, age and date and place of birth, (3) the applicant's residence addresses and places of employment within the preceding five years, (4) the applicant's present occupation, (5) any crime of which the applicant has been convicted and the date and place of such conviction, and (6) such additional information as the licensing authority deems necessary to investigate the qualifications, character, competency and integrity of the applicant. If the applicant is a corporation, limited liability company, partnership or association, the application shall contain the information required by this subsection for each individual who is or will be an officer, shareholder, financial backer or creditor, other than a financial institution, of such entity or any other individual with a relationship to such entity similar to that of an officer, shareholder, financial backer or creditor.

(e) The application for such license and any renewal thereof shall contain information on any Internet web site or account used by such applicant to conduct the business. During the term of the license, the licensee shall notify the licensing authority, in writing, of the addition or discontinuation of any Internet web sites or accounts used to conduct the business.

(f) No license shall be issued under this section by the licensing

authority to any person who has been convicted of a felony. The licensing authority may require any applicant, employee or person with an ownership interest in the business to submit to state and national criminal history records checks. Whenever the licensing authority requires such criminal history records checks, such applicant, employee or person shall submit two complete sets of fingerprints on forms prescribed by the licensing authority. Any criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a of the general statutes. The licensing authority may charge the applicant, employee or person a fee equal to the fees established by the Federal Bureau of Investigation and the State Police Bureau of Identification for performing such criminal history records checks.

(g) The licensing authority shall grant or deny an application for a license not later than ninety days after the filing of such application with the licensing authority. A licensee seeking renewal of such license shall file for a renewal at least sixty days before the expiration of such license and the issuing authority shall grant or deny such renewal not later than thirty days from the filing of such application for renewal. Failure of the licensing authority to act on such application or renewal within such period shall be deemed to be a denial.

(h) The licensing authority may suspend or revoke any license issued under this section or modify the requirements for such license at any time during the period of the license for good cause shown, upon notice to the licensee and following a hearing, which shall be held not later than five days following the date of issuance of such notice. The licensing authority shall issue a decision not more than fourteen days following any hearing.

(i) Any person aggrieved by any action of the licensing authority in denying, suspending, revoking or refusing to renew a license issued pursuant to this section or modifying the requirements for such license

may appeal from such action to the Superior Court.

(j) Any applicant for a license or renewal thereof may, at the time of the initial application or any time thereafter, apply for an exemption from the provisions of this section for the term of the license or for such shorter period as the licensing authority may determine. The licensing authority may grant such exemption for good cause shown. The licensing authority may, for good cause shown, exempt any person from the provisions of this section who engages in activities otherwise subject to the provisions of this section on an occasional basis.

(k) Any person who wilfully engages in the business of a secondhand dealer, unless licensed in accordance with this section, or after notice that such person's license has been suspended or revoked, shall be guilty of a class D felony.

Sec. 11. (NEW) (*Effective October 1, 2011*) (a) No secondhand dealer shall take, receive or purchase tangible personal property without receiving proof of the identity of the person selling the property if such person is not a wholesaler. Such identification shall include a photograph, an address, if available on the identification, and an identifying number, including, but not limited to, date of birth.

(b) Each secondhand dealer shall maintain a record-keeping system deemed appropriate by the licensing authority which shall be entered in English, at the time the secondhand dealer purchases any article of personal property, a description of such article and the name, the residence address, the proof of identity as required by this section and a general description of the person from whom, and the date and hour when, such property was purchased and in which, if the property does not contain any identifiable numbers or markings, shall be included a digital photograph of such article. Each entry in such record-keeping system shall be numbered consecutively. A tag shall be attached to the

article in a visible and convenient place with a number written on such tag corresponding to the entry number in the record-keeping system and shall remain attached to the article until the article is sold or otherwise disposed of, provided the licensing authority shall prescribe procedures authorizing the removal of such tags from articles. Such tag shall be visible in the digital photograph required by this subsection. Such record-keeping system and the place or places where such business is carried on and all articles of property therein may be examined at any time by any state police officer or municipal police officer. Any state police officer or municipal police officer who performs such an examination may require any employee on the premises to provide proof of such employee's identity. All records maintained pursuant to this section shall be retained by the secondhand dealer for not less than two years.

(c) Except as provided in subsection (d) of this section, the description of any property purchased by a secondhand dealer under this section shall include, but not be limited to, all distinguishing marks, names of any kind, including brand and model names, model and serial numbers, engravings, etchings, affiliation with any institution or organization, dates, initials, color, vintage or image represented. Any description of audio, video or electronic media of any kind shall also include the title and artist or other identifying information contained on the cover or external surface of such media.

(d) The licensing authority may provide for an exemption from the requirements of subsection (c) of this section, or establish additional or different requirements concerning the description of any property purchased by a secondhand dealer, upon consideration of the nature of the property, transaction or business, including, but not limited to, articles in bulk lots or articles of minimal value.

(e) (1) Except as provided in subsection (f) of this section, each secondhand dealer shall pay for any property purchased only by check

or money order and shall not pay cash for any such property. Any secondhand dealer who pays by check shall retain the electronic copy of such check or other record issued by the financial institution that processed such check, and such copy or record shall be subject to inspection in accordance with this section as part of the record-keeping system.

(2) No secondhand dealer shall pay or cash any instrument issued by him or her. The dealer shall indicate on each such instrument the number or numbers associated with such property in the record-keeping system required to be maintained pursuant to this section.

(f) Any secondhand dealer who was licensed in any city or town as a pawnbroker pursuant to section 21-40 of the general statutes, as amended by this act, on March 31, 2011, and who continues to hold such license, may pay for property received pursuant to a secondhand dealer license issued in accordance with section 10 of this act in the manner authorized under section 21-42 of the general statutes, as amended by this act, until July 1, 2021, provided such secondhand dealer complies with all other provisions of this section relating to secondhand dealers.

(g) No secondhand dealer may purchase any personal property from a minor unless such minor is accompanied by such minor's parent or guardian.

(h) Each secondhand dealer shall submit to the licensing authority, weekly, or more frequently as determined by the licensing authority upon consideration of the volume and nature of the business, a sworn statement of his or her transactions, describing the property purchased and setting forth the nature and terms of the transaction and the name and residence address and a description of the person from whom the property was received. Such statement shall be in an electronic format prescribed by the licensing authority. The licensing authority may

grant exemptions from the requirement of submitting such statements in an electronic format for good cause shown.

(i) No secondhand dealer shall sell or dispose of any personal property acquired in any transaction in the course of business in less than ten days after the date of its receipt. Upon the sale or disposition of such property, such dealer shall, if such property is not sold at retail at the place of business of such dealer, include a record of such sale or disposition in the record-keeping system required by this section.

(j) Whenever property is seized from the place of business of a secondhand dealer by a law enforcement officer, such officer shall give such secondhand dealer a duly signed receipt for the property containing a case number, a description of the property, the reason for the seizure, the name and address of the officer, the name and address of the person claiming a right to the property prior to the secondhand dealer and the name of the secondhand dealer. If the secondhand dealer claims an ownership interest in such property, such secondhand dealer may request the return of such property by filing a request for such property with the law enforcement agency in accordance with the provisions of section 54-36a of the general statutes. If the seller of any property purchased by a secondhand dealer is convicted of any offense arising out of such secondhand dealer's acquisition of the property and the secondhand dealer suffered an economic loss as a result of such offense, the court may, at the time of sentencing, order restitution to the secondhand dealer pursuant to subsection (c) of section 53a-28 of the general statutes, which order may be enforced in accordance with section 53a-28a of the general statutes.

(k) Any person who violates any provision of this section shall be guilty of a class A misdemeanor.

Sec. 12. Section 21-100 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) No person may engage in or carry on the business of purchasing gold or gold-plated ware, silver or silver-plated ware, platinum ware, watches, jewelry, precious stones, bullion or coins unless such person is licensed by the [chief of police or, if there is no chief of police, the first selectman] licensing authority of the municipality in which such person intends to carry on such business; except that the provisions of this subsection shall not apply to the purchase of such items from a wholesaler by a manufacturer or retail seller whose primary place of business is located in this state. Such person shall pay an annual fee of ten dollars for such license. The license may be revocable for cause, which shall include, but not be limited to, failure to comply with any requirements for licensure specified by the licensing authority at the time of issuance. [A chief of police or first selectman] The licensing authority shall refuse to issue a license under this subsection to a person who has been convicted of a felony [. A chief of police or first selectman] and may require any applicant for a license to submit to state and national criminal history records checks. If the [chief of police or first selectman] licensing authority requires such criminal history records checks, such checks shall be conducted in accordance with section 29-17a. For the purposes of this subsection "wholesaler" means a person in the business of selling tangible personal property to be resold at retail or raw materials to be manufactured into suitable forms for use by consumers.

(b) Any person who wilfully engages in the business of a precious metals or stones dealer, unless licensed in accordance with this section or after notice that such person's license has been suspended or revoked, shall be guilty of a class D felony.

[(b)] (c) Each such [licensed person] licensee shall keep a record in which [he] such licensee shall note at the time of each transaction a description of the [goods] property purchased and the price paid for them, the name and address of the person selling the goods and the

date and hour any such [goods were] property was received. Each such [licensed person] licensee shall demand positive identification from the person selling the article and the type or form of identification received shall be noted in the record. Any state police officer or municipal police officer shall have access to the record required to be kept under this section and may inspect the place where the business is carried on as well as any goods purchased or received. The licensee shall maintain a place of business within this state, at which the goods purchased or received and the required records shall be available for such inspection.

[(c)] (d) No [such licensed person] licensee may purchase any [goods] property from a minor unless such minor is accompanied by a parent or guardian.

(e) Each such [licensed person] licensee may only pay for [goods] property received by check [, draft] or money order and no cash shall be transferred to either party in the course of a transaction subject to the provisions of this section. Any licensee who pays cash or cashes a check or money order shall be guilty of a class A misdemeanor. No licensee may advertise that he or she will pay for property received with cash.

[(d)] (f) At the time of making any purchase each [licensed person] licensee shall deliver to the person selling [goods] property a receipt containing the information required to be recorded in subsection [(b)] (c) of this section, the amount paid for any [goods] property sold and the name and address of the purchaser.

[(e)] (g) Upon request of the licensing authority each such [licensed person] licensee shall make a weekly sworn statement, describing the goods received and setting forth the name and address of each person from whom goods were purchased, to the [chief of police or first selectman] licensing authority of each municipality in which [he] the

licensee transacted business that week. Such sworn statement shall not be deemed public records for the purposes of the Freedom of Information Act, as defined in section 1-200.

[(f)] (h) Any person who violates any provision of this section, for which no other penalty is provided, shall be fined not more than one thousand dollars.

Sec. 13. Section 21-9 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

As used in this chapter, "junk dealer" means any person who engages in business as a dealer and trader in junk, old metals, scrap, rags, waste paper or other secondhand articles that are no longer serviceable for their original manufactured purpose, and "junk yard" means any place in or on which old metal, glass, paper, cordage or other waste or discarded or secondhand material, which has not been a part, or is not intended to be a part, of any motor vehicle, is stored or deposited.

Sec. 14. Section 21-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

Any person desiring to engage in business as a dealer [and trader in secondhand bicycles,] in junk, metals or other secondhand articles that are no longer serviceable for their original manufactured purpose in any town, city or borough shall make application to the selectmen of such town, the mayor or chief of police of such city or the warden of such borough, as the case may be, for a license to transact such business within the limits of such town, city or borough, and the selectmen of such town, the mayor or chief of police of such city or the warden of such borough shall issue such licenses to such suitable persons as apply [therefor] for such licenses and may revoke any such license for cause; but the selectmen shall not grant any such license for

the carrying on of such business within the limits of any city or borough, and the persons so licensed shall pay, for the benefit of any such town, city or borough, to the authority granting the license, not less than two nor more than ten dollars [therefor] for the license, to be determined by the authority granting the license, and for renewal of such license ten dollars per year. Each license granted under the provisions of this section shall designate the place where such business is to be carried on, and shall continue for one year unless sooner revoked. Each such dealer shall keep a book in which shall be written in English a description of such articles and the name and residence and a general description of the person from whom, and the time and hour when, such property was received; and such book, and all articles of property mentioned [therein] in such book, and the place where such business is carried on, may be examined at any time by the selectmen of the town or any person designated by [them] such selectmen, and, in any city or borough, by the chief of police of such city or borough or any person [by him] designated by the chief. Each such dealer shall make, weekly, sworn statements of all his or her transactions under such license, describing the goods received and setting forth the name and residence and a description of the person from whom such goods were received, to the chief of police in the case of cities or boroughs and, in other cases, to the town clerk of the town in which such junk dealer resides, and shall keep all goods at least five days after the filing of such statement. Any person who wilfully engages in the business of a junk dealer, unless licensed in accordance with this section or after notice that such person's license has been suspended or revoked, shall be guilty of a class D felony.

Approved July 8, 2011