

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Require Dealers of Secondhand Precious Metals To Keep Records To Aid Law Enforcement

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §3972 is enacted to read:

§ 3972. Records of sales of secondhand precious metals

1. Records required. A dealer engaged in the purchase of secondhand precious metals shall record the following information on each bill of sale before completing the purchase of any secondhand precious metals:

- A. The date, time and place of receiving the items purchased;
- B. The seller's name and address;
- C. A complete description of the precious metals purchased from the seller, including any identification numbers, names, initials, serial numbers or identifying marks on each item purchased and the weight;
- D. The consideration paid; and
- E. A signed statement of ownership from the seller.

Before recording the information required by this subsection, a dealer shall require reasonable proof of the seller's identification in the form of a government-issued identification card such as a motor vehicle operator's license or military identification card.

For purposes of this section, "precious metals" means any item, except coins, composed in whole or in part of gold or silver.

2. Form of records. The records required under subsection 1 must be kept for a period of one year for the purpose of complying with this section, maintained in order by date of purchase and contained either in a bound volume or ledger or in a binder in which pages can be affixed.

3. Availability for inspection. Upon request by any law enforcement officer or prosecuting attorney, a dealer in secondhand precious metals shall promptly make available for inspection at the dealer's principal place of business the records required under subsection 1.

4. Violations. A dealer who violates any of the requirements of this section or a seller who provides false identification or false statement of ownership to a dealer is guilty of a Class E crime.

SUMMARY

This bill requires every dealer engaged in the purchase of secondhand precious metals to record specific information on each bill of sale before completing the purchase of any secondhand precious metals. The bill requires dealers engaged in the purchase of secondhand precious metals to maintain these records for one year and to make the records available to law enforcement or a prosecuting attorney.