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LAW/KR

P.L.2013, CHAPTER 247, *approved January 17, 2014*  
Assembly, No. 2940 (*Second Reprint*)

1 AN ACT concerning certain metals and jewelry and amending  
2 P.L.1981, c.96 and P.L.2009, c.214

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 1 of P.L.1981, c.96 (C.51:6A-1) is amended to read  
8 as follows:

9 1. Any person in the business of buying precious metals who  
10 buys, attempts to buy or offers to buy precious metals on the basis  
11 of bulk value from any person who is not in the business of selling  
12 precious metals shall:

13 a. Clearly and prominently display at the point of purchase:

14 (1) His name and address;

15 (2) The price being offered or paid by the buyer for precious  
16 metals expressed as price per standard measure of weight and  
17 fineness as prescribed by the Superintendent of Weights and  
18 Measures.

19 b. Include his name and address in all advertisements  
20 concerning such precious metals.

21 c. Weigh the precious metals in plain view of the seller on  
22 State certified scales with the certificate of inspection clearly and  
23 prominently displayed.

24 d. Test the fineness of precious metals, if any test is so  
25 performed, in plain view of the seller.

26 e. Issue to the seller and keep for his own records, for not less  
27 than **[1]** one year, a serialized receipt for each purchase of precious  
28 metals containing the following:

29 (1) The name and address of the buyer;

30 (2) Date of the transaction;

31 (3) The names of the precious metals purchased;

32 (4) The finenesses of the precious metals purchased;

33 (5) The weights of the precious metals purchased;

34 (6) The prices paid for the precious metals at the standard  
35 measures of weight and fineness prescribed by the superintendent;

36 (7) The name, address and signature of the seller of the precious  
37 metals.

38 f. Obtain proof of identity from each person who sells precious  
39 metals to him.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ACO committee amendments adopted June 7, 2012.

<sup>2</sup>Senate SCM committee amendments adopted March 4, 2013.

- 1 g. Retain any precious metals in the form in which they were  
 2 purchased for a period of not less than **[2]** two business days,  
 3 minimum 48 hours.
- 4 h. Upon reasonable request, allow the inspection of the  
 5 serialized receipts or precious metals provided for in subsections e.  
 6 and g. respectively of this section by any law enforcement officer  
 7 or weights and measures official.
- 8 i. Obtain a bond in an amount and form prescribed by  
 9 regulations of the Office of Weights and Measures. The bond shall  
 10 be obtained from a surety company authorized by law to do  
 11 business in this State. The bond shall run to the State for the  
 12 benefit of any person injured by the wrongful act, default, fraud or  
 13 misrepresentation of the buyer of precious metals. No bond shall  
 14 comply with the requirements of this subsection unless the bond  
 15 contains a provision that it shall not be cancelled for any cause  
 16 unless notice of intention to cancel is filed in the Office of Weights  
 17 and Measures at least 30 days before the day upon which  
 18 cancellation shall take effect. This subsection shall only apply to  
 19 transient buyers.

20 j. Maintain, for not less than one year, digital photographs of  
 21 the precious metals purchased.

22 (cf: P.L.1981, c.96, s.1)

23

24 2. Section 1 of P.L.2009, c.214 (C.2C:21-36) is amended to  
 25 read as follows:

26 1. <sup>2</sup>**[No]** <sup>2</sup>Any person engaged in the business of retailing,  
 27 wholesaling, or smelting jewelry who purchases any article of used  
 28 or secondhand jewelry shall <sup>2</sup>**[sell or offer to sell that used or**  
 29 **secondhand jewelry, unless that person]**<sup>2</sup>:

30 a. <sup>2</sup>**[Maintains]** <sup>2</sup>Maintain<sup>2</sup>, for five years <sup>2</sup>**[,]**:

31 <sup>(1)</sup><sup>2</sup> a record of the name, address and telephone number of the  
 32 person from whom it was purchased<sup>2</sup>; **[and:**

33 <sup>(1)</sup><sup>2</sup> <sup>(2)</sup><sup>2</sup> a descriptive list of any used jewelry purchased from  
 34 that seller, including any identifying characteristics of that jewelry;  
 35 **[or]** <sup>2</sup>**[and**

36 <sup>(2)</sup><sup>2</sup> <sup>(3)</sup><sup>2</sup> digital photographs of any used jewelry purchased from  
 37 that seller; <sup>2</sup>and

38 <sup>(4)</sup> a photocopy of the identification of the seller provided  
 39 pursuant to subsection b. of this section;<sup>2</sup>

40 b. <sup>2</sup>**[Verifies]** <sup>2</sup>Verify<sup>2</sup> the identity of the person selling the  
 41 jewelry by requesting and examining a photograph-bearing, valid  
 42 State or federal issued driver's license or other government issued  
 43 form of identification bearing a photograph;

44 c. <sup>2</sup>**[Delivers]** <sup>2</sup>Deliver<sup>2</sup>, on a weekly basis, to the police  
 45 department having jurisdiction in the location of that person's place  
 46 of business a copy of the record of all used jewelry purchased by  
 47 that person during the preceding week;

1 d. <sup>2</sup>**【Maintains】** Maintain<sup>2</sup> in his possession any used jewelry  
2 purchased for not less than <sup>2</sup>**【three】** 10<sup>2</sup> business days following the  
3 delivery of the record of the purchase of that jewelry to the police  
4 department, as required by subsection c. of this section <sup>1</sup>; provided,  
5 however, that a municipal ordinance adopted prior to the effective  
6 date of P.L.2009, c.214 (January 16, 2010) may provide a longer  
7 minimum length of time to maintain possession of used or  
8 secondhand jewelry<sup>1</sup>; and

9 e. <sup>2</sup>**【Maintains】** Maintain<sup>2</sup>, for five years, a copy of any list  
10 provided by an individual pursuant to section 2 of P.L.2009, c.214  
11 (C.2C:21-37).

12 Nothing in this section shall be construed to apply to  
13 pawnbrokers licensed and regulated pursuant to the pawnbroking  
14 law, R.S.45:22-1 et seq., or sales made through an Internet website.  
15 Nothing in this section shall be construed to apply to a person  
16 engaged in retail, provided the sale of jewelry is not his primary  
17 business and further provided the person does not engage in the  
18 purchase of used or secondhand jewelry on more than three days in  
19 a calendar year.

20 (cf: P.L.2009, c.214, s.1)

21

22 3. This act shall take effect <sup>2</sup>**【immediately】** on the 90<sup>th</sup> day next  
23 following enactment<sup>2</sup>.

24

25

26

27

28 \_\_\_\_\_  
29 Requires certain purchasers of precious metals and jewelry to  
30 maintain certain records; grandfathers certain municipal ordinances  
regarding sales of used and secondhand jewelry.

# ASSEMBLY, No. 2940

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 14, 2012

**Sponsored by:**

**Assemblyman JOHN J. BURZICHELLI**  
**District 3 (Cumberland, Gloucester and Salem)**  
**Assemblyman PAUL D. MORIARTY**  
**District 4 (Camden and Gloucester)**  
**Assemblyman TIMOTHY J. EUSTACE**  
**District 38 (Bergen and Passaic)**  
**Assemblyman DANIEL R. BENSON**  
**District 14 (Mercer and Middlesex)**  
**Assemblyman SEAN T. KEAN**  
**District 30 (Monmouth and Ocean)**

**SYNOPSIS**

Requires certain purchasers of certain metals and jewelry to maintain photograph of items.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/8/2012)

1 AN ACT concerning certain metals and jewelry and amending  
2 P.L.1981, c.96 and P.L.2009, c.214

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.1981, c.96 (C.51:6A-1) is amended to read  
8 as follows:

9 1. Any person in the business of buying precious metals who  
10 buys, attempts to buy or offers to buy precious metals on the basis  
11 of bulk value from any person who is not in the business of selling  
12 precious metals shall:

13 a. Clearly and prominently display at the point of purchase:

14 (1) His name and address;

15 (2) The price being offered or paid by the buyer for precious  
16 metals expressed as price per standard measure of weight and  
17 fineness as prescribed by the Superintendent of Weights and  
18 Measures.

19 b. Include his name and address in all advertisements  
20 concerning such precious metals.

21 c. Weigh the precious metals in plain view of the seller on State  
22 certified scales with the certificate of inspection clearly and  
23 prominently displayed.

24 d. Test the fineness of precious metals, if any test is so  
25 performed, in plain view of the seller.

26 e. Issue to the seller and keep for his own records, for not less  
27 than **[1]** one year, a serialized receipt for each purchase of precious  
28 metals containing the following:

29 (1) The name and address of the buyer;

30 (2) Date of the transaction;

31 (3) The names of the precious metals purchased;

32 (4) The finenesses of the precious metals purchased;

33 (5) The weights of the precious metals purchased;

34 (6) The prices paid for the precious metals at the standard  
35 measures of weight and fineness prescribed by the superintendent;

36 (7) The name, address and signature of the seller of the precious  
37 metals.

38 f. Obtain proof of identity from each person who sells precious  
39 metals to him.

40 g. Retain any precious metals in the form in which they were  
41 purchased for a period of not less than **[2]** two business days,  
42 minimum 48 hours.

43 h. Upon reasonable request, allow the inspection of the  
44 serialized receipts or precious metals provided for in subsections e.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 and g. respectively of this section by any law enforcement officer  
2 or weights and measures official.

3 i. Obtain a bond in an amount and form prescribed by  
4 regulations of the Office of Weights and Measures. The bond shall  
5 be obtained from a surety company authorized by law to do  
6 business in this State. The bond shall run to the State for the  
7 benefit of any person injured by the wrongful act, default, fraud or  
8 misrepresentation of the buyer of precious metals. No bond shall  
9 comply with the requirements of this subsection unless the bond  
10 contains a provision that it shall not be cancelled for any cause  
11 unless notice of intention to cancel is filed in the Office of Weights  
12 and Measures at least 30 days before the day upon which  
13 cancellation shall take effect. This subsection shall only apply to  
14 transient buyers.

15 j. Maintain, for not less than one year, digital photographs of the  
16 precious metals purchased.

17 (cf: P.L.1981, c.96, s.1)

18

19 2. Section 1 of P.L.2009, c.214 (C.2C:21-36) is amended to read  
20 as follows:

21 1. No person engaged in the business of retailing, wholesaling,  
22 or smelting jewelry who purchases any article of used or  
23 secondhand jewelry shall sell or offer to sell that used or  
24 secondhand jewelry, unless that person:

25 a. Maintains, for five years, a record of the name, address and  
26 telephone number of the person from whom it was purchased and:

27 (1) a descriptive list of any used jewelry purchased from that  
28 seller, including any identifying characteristics of that jewelry; **[or]**  
29 and

30 (2) digital photographs of any used jewelry purchased from that  
31 seller;

32 b. Verifies the identity of the person selling the jewelry by  
33 requesting and examining a photograph-bearing, valid State or  
34 federal issued driver's license or other government issued form of  
35 identification bearing a photograph;

36 c. Delivers, on a weekly basis, to the police department having  
37 jurisdiction in the location of that person's place of business a copy  
38 of the record of all used jewelry purchased by that person during the  
39 preceding week;

40 d. Maintains in his possession any used jewelry purchased for  
41 not less than three business days following the delivery of the  
42 record of the purchase of that jewelry to the police department, as  
43 required by subsection c. of this section; and

44 e. Maintains, for five years, a copy of any list provided by an  
45 individual pursuant to section 2 of P.L.2009, c.214 (C.2C:21-37).

46 Nothing in this section shall be construed to apply to  
47 pawnbrokers licensed and regulated pursuant to the pawnbroking  
48 law, R.S.45:22-1 et seq., or sales made through an Internet website.



1 Nothing in this section shall be construed to apply to a person  
2 engaged in retail, provided the sale of jewelry is not his primary  
3 business and further provided the person does not engage in the  
4 purchase of used or secondhand jewelry on more than three days in  
5 a calendar year.

6 (cf: P.L.2009, c.214, s.1)

7

8 3. This act shall take effect immediately.

9

10

11

#### STATEMENT

12

13 This bill would require persons who are in the business of buying  
14 precious metals to maintain digital photographs of all metals  
15 purchased. This bill would also require jewelry retailers,  
16 wholesalers and smelters to maintain a digital photograph of all  
17 secondhand jewelry purchased for resale.

18 Currently, there are certain requirements for any person in the  
19 business of buying precious metals who purchases them from a  
20 person who is not in the business of selling precious metals. These  
21 requirements include issuing to the seller and maintaining in the  
22 buyer's records, a receipt for each purchase of precious metals.  
23 This bill would require that the purchaser of the precious metals  
24 also maintain a photograph of all metals purchased, in addition to  
25 the receipt.

26 Under current law, jewelry retailers, wholesalers, and smelters  
27 who purchase secondhand jewelry to resell must maintain either a  
28 descriptive list, including any identifying characteristics of the  
29 jewelry or a photograph of any secondhand jewelry that they buy.  
30 This bill would require that they maintain both a descriptive list and  
31 a digital photograph of all secondhand jewelry purchased for resale.

32 The requirement of maintaining a digital photograph creates a  
33 more accurate record of all precious metals and secondhand jewelry  
34 that is sold, so that if stolen, the rightful owner will be able to  
35 recover it. A police officer may not be able to identify a stolen item  
36 based only upon a receipt or descriptive list. The requirement to  
37 maintain a digital photograph will assist the police in identifying  
38 stolen items so that they can be returned to the rightful owner.

# ASSEMBLY CONSUMER AFFAIRS COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2940**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 7, 2012

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 2940.

As amended and reported by the committee, this bill requires persons in the business of buying precious metals to maintain digital photographs of all metals purchased. This bill also requires jewelry retailers, wholesalers and smelters to maintain a digital photograph of all secondhand jewelry purchased for resale. Additionally, as amended, the bill allows municipal ordinances adopted prior to the effective date of P.L.2009, c.214 (C.2C:26-1) to provide a longer minimum length of time to maintain the possession of used or secondhand jewelry.

Currently, there are certain requirements for any person in the business of buying precious metals who purchases them from a person who is not in the business of selling precious metals. These requirements include issuing to the seller and maintaining in the buyer's records, a receipt for each purchase of precious metals. This bill requires that the purchaser of the precious metals must also maintain a photograph of all metals purchased, in addition to the receipt.

Under current law, jewelry retailers, wholesalers, and smelters who purchase secondhand jewelry to resell must maintain either a descriptive list, including any identifying characteristics of the jewelry or a photograph of any jewelry that they buy. This bill requires that they must maintain both, and specifies that the photographs must be digital.

Also under current law, jewelry retailers, wholesalers, and smelters who purchase secondhand jewelry must deliver, on a weekly basis, to the local police department a record of all used jewelry purchased during the preceding week. The jewelry contained in the record must be maintained in their possession for not less than three days after delivery of the record. This bill allows municipal ordinances adopted prior to the effective date of P.L.2009, c.214 (C.2C:26-1) (January 16, 2010) to provide a longer minimum length of time to maintain the possession of used or secondhand jewelry. The bill does not allow for

the adoption of conflicting retention ordinances subsequent to the effective date of the State law.

COMMITTEE AMENDMENTS

At the sponsor's request, the committee amended section 2 of the bill to allow municipal ordinances adopted prior to the effective date of P.L.2009, c.214 (C.2C:26-1) (January 16, 2010) to provide a longer minimum length of time to maintain the possession of used or secondhand jewelry than the three days required by the State law.

# SENATE COMMERCE COMMITTEE

## STATEMENT TO

[First Reprint]

### **ASSEMBLY, No. 2940**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 4, 2013

The Senate Commerce Committee reports favorably and with committee amendments Assembly Bill No. 2940.

This bill, as amended, requires persons in the business of buying precious metals to maintain digital photographs of all metals purchased for not less than one year. This bill also requires jewelry retailers, wholesalers and smelters who purchase used or secondhand jewelry to comply with certain requirements.

Under current law, there are requirements for any person in the business of buying precious metals who purchases them from a person who is not in the business of selling precious metals, which include issuing to the seller and maintaining in the buyer's records a receipt for each purchase of precious metals. This bill requires that the purchaser of the precious metals must also maintain a digital photograph of all metals purchased, in addition to a copy of the receipt.

Under current law, no person engaged in the business of retailing, wholesaling, or smelting jewelry who purchases used or secondhand jewelry shall sell or offer to sell that used or secondhand jewelry unless that person complies with certain requirements. This bill, as amended, requires persons engaged in the business of retailing, wholesaling, or smelting jewelry who purchase used or secondhand jewelry to comply with certain requirements, such as maintaining records of any used or secondhand jewelry purchased, including a descriptive list, digital photographs, and a photocopy of the identification of the seller. These requirements apply regardless of whether the person engaged in the business of retailing, wholesaling, or smelting jewelry sells or offers to sell the used or secondhand jewelry.

Under the bill, as amended, persons engaged in the business of retailing, wholesaling, or smelting jewelry who purchase used or secondhand jewelry must also maintain the jewelry described in the record in their possession for not less than 10 business days after delivery of the record. This bill allows municipal ordinances adopted prior to the effective date of P.L.2009, c.214 (2C:21-36 et seq.),

January 16, 2010, to provide a longer minimum length of time to maintain the possession of used or secondhand jewelry. The bill does not allow for the adoption of conflicting retention ordinances subsequent to the effective date of the State law.

As amended, this bill is identical to Senate Bill No. 2058 (1R), as amended and reported by the committee today.

#### Committee amendments

The committee amended the bill to provide that:

1) Any person engaged in the business of retailing, wholesaling, or smelting jewelry who purchases any article of used or secondhand jewelry shall maintain certain records for five years, including a photocopy of the identification of the seller provided pursuant to current law.

2) Persons engaged in the business of retailing, wholesaling, or smelting jewelry who purchase used or secondhand jewelry are required to comply with certain requirements, regardless of whether the person sells or offers to sell the jewelry.

3) Any person engaged in the business of retailing, wholesaling, or smelting jewelry who purchases any article of used or secondhand jewelry shall maintain that article for 10 days following the delivery of the record of the purchase of that jewelry to the police department having jurisdiction in the location of that person's place of business. A municipal ordinance adopted before the effective date of P.L.2009, c.214 (C.2C:21-36 et seq.) may provide a longer length of time.

4) The legislation shall take effect on the 90<sup>th</sup> day next following enactment, instead of immediately.

**SENATE, No. 2058**

**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

INTRODUCED JUNE 4, 2012

**Sponsored by:**

**Senator JEFF VAN DREW**

**District 1 (Atlantic, Cape May and Cumberland)**

**SYNOPSIS**

Requires maintenance of certain records concerning the sale of used jewelry.

**CURRENT VERSION OF TEXT**

As introduced.



S2058 VAN DREW

2

1 AN ACT concerning the sale of certain jewelry and amending  
2 P.L.2009, c.214.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.2009, c.214 (C.2C:21-36) is amended to  
8 read as follows:

9 1. No person engaged in the business of retailing, wholesaling,  
10 or smelting jewelry who purchases any article of used or  
11 secondhand jewelry shall sell or offer to sell that used or  
12 secondhand jewelry, unless that person:

13 a. Maintains, for five years ~~[, ]~~:

14 ~~(1)~~ (1) a record of the name, address and telephone number of the  
15 person from whom it was purchased; ~~[and:~~

16 ~~(1)] (2)~~ a descriptive list of any used jewelry purchased from  
17 that seller, including any identifying characteristics of that jewelry;  
18 ~~[or~~

19 ~~(2)] (3)~~ photographs of any used jewelry purchased from that  
20 seller; and

21 (4) a photocopy of the identification of the seller provided  
22 pursuant to subsection b. of this section;

23 b. Verifies the identity of the person selling the jewelry by  
24 requesting and examining a photograph-bearing, valid State or  
25 federal issued driver's license or other government issued form of  
26 identification bearing a photograph;

27 c. Delivers, on a weekly basis, to the police department having  
28 jurisdiction in the location of that person's place of business a copy  
29 of the record of all used jewelry purchased by that person during the  
30 preceding week;

31 d. Maintains in his possession any used jewelry purchased for  
32 not less than ~~[three]~~ 10 business days following the delivery of the  
33 record of the purchase of that jewelry to the police department, as  
34 required by subsection c. of this section; and

35 e. Maintains, for five years, a copy of any list provided by an  
36 individual pursuant to section 2 of P.L.2009, c.214 (C.2C:21-37).

37 Nothing in this section shall be construed to apply to  
38 pawnbrokers licensed and regulated pursuant to the pawnbroking  
39 law, R.S.45:22-1 et seq., or sales made through an Internet website.  
40 Nothing in this section shall be construed to apply to a person  
41 engaged in retail, provided the sale of jewelry is not his primary  
42 business and further provided the person does not engage in the  
43 purchase of used or secondhand jewelry on more than three days in

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 a calendar year.  
2 (cf: P.L.2009, c.214, s.1)

3

4 2. This act shall take effect on the 90th day next following  
5 enactment.

6

7

8

STATEMENT

9

10 This bill revises several provisions of the current law requiring  
11 jewelry retailers, wholesalers, and smelters who are purchasers of  
12 used or secondhand jewelry, to maintain permanent records  
13 concerning the sale of used or secondhand jewelry. The bill  
14 extends the period during which a purchaser must retain jewelry to  
15 ten business days following the delivery of the record of the  
16 purchase of that jewelry to the police department having  
17 jurisdiction in the location of that person's place of business. Under  
18 current law, purchasers must retain jewelry for three days following  
19 the delivery of that record to the police department.

20 The bill also requires these purchasers to photograph used  
21 jewelry, describe the jewelry, and maintain records of the  
22 photographs and descriptions for five years. Under current law,  
23 purchasers may either photograph or describe the jewelry, and  
24 maintain a record of the photographs or descriptions. Additionally,  
25 the bill requires purchasers to make a photocopy of the  
26 identification of any seller of used jewelry, and maintain a record of  
27 the photocopy.

28 Under current law, failure to comply with these recordkeeping  
29 provisions, which would also be violations under this bill, may be  
30 used as a presumption that the purchaser had knowledge or belief  
31 that the jewelry is stolen property, which may lead to a conviction  
32 for receiving stolen property. Punishments for receiving stolen  
33 property vary depending on certain elements, such as the monetary  
34 amount involved.



# SENATE COMMERCE COMMITTEE

## STATEMENT TO

### **SENATE, No. 2058**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 4, 2013

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2058.

This bill, as amended, requires persons in the business of buying precious metals to maintain digital photographs of all metals purchased for not less than one year. This bill also requires jewelry retailers, wholesalers and smelters who purchase used or secondhand jewelry to comply with certain requirements.

Under current law, there are requirements for any person in the business of buying precious metals who purchases them from a person who is not in the business of selling precious metals, which include issuing to the seller and maintaining in the buyer's records a receipt for each purchase of precious metals. This bill, as amended, requires that the purchaser of the precious metals must also maintain a digital photograph of all metals purchased, in addition to a copy of the receipt.

Under current law, no person engaged in the business of retailing, wholesaling, or smelting jewelry who purchases used or secondhand jewelry shall sell or offer to sell that used or secondhand jewelry unless that person complies with certain requirements. This bill, as amended, requires persons engaged in the business of retailing, wholesaling, or smelting jewelry who purchase used or secondhand jewelry to comply with certain requirements, such as maintaining records of any used or secondhand jewelry purchased, including a descriptive list, digital photographs, and a photocopy of the identification of the seller. These requirements apply regardless of whether the person engaged in the business of retailing, wholesaling, or smelting jewelry sells or offers to sell the used or secondhand jewelry.

Under the bill, as amended, persons engaged in the business of retailing, wholesaling, or smelting jewelry who purchase used or secondhand jewelry must also maintain the jewelry described in the record in their possession for not less than 10 business days after delivery of the record. This bill allows municipal ordinances adopted prior to the effective date of P.L.2009, c.214 (2C:21-36 et seq.), January 16, 2010, to provide a longer minimum length of time to

maintain the possession of used or secondhand jewelry. The bill does not allow for the adoption of conflicting retention ordinances subsequent to the effective date of the State law.

As amended, this bill is identical to Assembly Bill No. 2940 (2R), as amended and reported by the committee today.

#### Committee amendments

The committee amended the bill to provide that:

1) Any person in the business of buying precious metals who buys, attempts to buy or offers to buy precious metals on the basis of bulk value from any person who is not in the business of selling precious metals shall maintain digital photographs of the precious metals purchased.

2) Persons engaged in the business of retailing, wholesaling, or smelting jewelry who purchase used or secondhand jewelry are required to comply with certain requirements, regardless of whether the person sells or offers to sell the jewelry.

3) Any person engaged in the business of retailing, wholesaling, or smelting jewelry who purchases any article of used or secondhand jewelry shall maintain certain records for five years, including digital photographs of any used jewelry purchased from that seller.

4) Municipal ordinances adopted prior to the effective date of P.L.2009, c.214 (C.2C:21-36 et seq.) (January 16, 2010) may provide a longer minimum length of time to maintain the possession of used or secondhand jewelry than the 10 days required by the bill.