

REFERENCE TITLE: precious items dealer; permanent residence

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

SB 1221

Introduced by
Senator Reagan

AN ACT

AMENDING SECTION 44-1602, ARIZONA REVISED STATUTES; RELATING TO DEALERS OF
PRECIOUS ITEMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 44-1602, Arizona Revised Statutes, is amended to
3 read:

4 44-1602. Requirements of dealers of precious items: violation:
5 classification

6 A. Each dealer shall keep for six months from the date of purchase of
7 a precious item and make available on request of a peace officer:

8 1. The name, current address, date of birth and signature of the
9 person from whom the item was purchased.

10 2. A description of the person, including height, weight, race,
11 complexion and hair color.

12 3. Identification card serial number as required under subsection B.

13 4. A list pursuant to subsection C describing the items purchased from
14 that person.

15 B. Before making a purchase, a dealer shall require the person from
16 whom he is purchasing to identify himself with a valid motor vehicle
17 operator's license, valid motor vehicle nonoperating identification license,
18 valid armed forces identification card or other valid photo identification
19 sufficient to verify the information required pursuant to subsection A of
20 this section.

21 C. Each dealer shall, at least once each week in which he makes a
22 purchase, make out and deliver to the local law enforcement agency a true,
23 complete and legible list of all items purchased during the period since the
24 last report. The dealer shall use local law enforcement agency forms to meet
25 the requirements of this subsection if such forms are issued by the local law
26 enforcement agency. The list shall include:

27 1. The brand name and serial number, if any.

28 2. An accurate description of each item sufficient to enable the local
29 law enforcement agency to identify the item.

30 3. The date and time when the item was received.

31 4. The amount paid for each item.

32 5. All information pursuant to subsection A, paragraphs 1, 2 and 3.

33 D. Any item purchased shall be held in the same shape and form as
34 receipted for in the dealer's custody for ten calendar days after delivering
35 the list to the local law enforcement agency as required under subsection
36 C. This subsection shall not apply to the redemption of pawned or pledged
37 items.

38 E. Payment to the seller or consignor shall be by check only, made
39 payable to a named payee who is the actual intended seller.

40 F. It is presumptive evidence of intent to violate this section if the
41 items purchased are not listed or fail to agree with the description
42 contained in the list.

43 G. On notification by a peace officer that the items purchased are the
44 fruits of a crime, the dealer shall not dispose of those items.

1 H. A dealer shall not purchase any precious item from any person under
2 eighteen years of age unless the person is accompanied by a parent or
3 guardian who must submit identification as required under subsection B.

4 I. Dealers of precious items may only purchase at their permanent
5 place of business, as listed on their sales tax license. FOR THE PURPOSES OF
6 THIS SUBSECTION, "PERMANENT PLACE OF BUSINESS" MEANS A FIXED PLACE OF
7 BUSINESS, A PERMANENT PHYSICAL LOCATION WITHIN A STRUCTURE OR BUILDING OR A
8 PERMANENT ESTABLISHMENT WHERE THE BUSINESS OF A DEALER IS WHOLLY CARRIED ON.

9 J. Each dealer shall prominently display a copy of this statute in a
10 conspicuous place on the premises of the business.

11 K. A person who violates this article is guilty of a class 1
12 misdemeanor.