

# HOUSE BILL No. 1240

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-13-9.

**Synopsis:** Data base of valuable metal transactions. Creates the valuable metal dealers registry and data base. Establishes the valuable metal dealers registry and data base fund. Provides that the money in the fund is continually appropriated to the state police department.

**Effective:** July 1, 2016.

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\_\_\_\_\_, read first time and referred to Committee on

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Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## HOUSE BILL No. 1240

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A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 10-13-9 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2016]:

4 **Chapter 9. Valuable Metal Dealers Data Base**  
5 **Sec. 1. After December 31, 2016, a person may not engage in the**  
6 **business of purchasing and reselling valuable metal (as defined in**  
7 **IC 25-37.5-1-1) without registering as a valuable metal dealer (as**  
8 **defined in IC 25-37.5-1-1) with the superintendent of the**  
9 **department in accordance with this chapter.**

10 **Sec. 2. The superintendent may issue, reissue, or deny**  
11 **registration certificates to valuable metal dealers.**

12 **Sec. 3. To register as a valuable metal dealer with the**  
13 **superintendent of the department, a person must do the following:**

14 **(1) Provide the following information in an electronic format**  
15 **prescribed by the department:**

16 **(A) The name and street address of the valuable metal**  
17 **dealer's place of business.**



- 1           **(B) The name of the primary owner of the business, and of**  
2           **the manager of the business, if the manager is not the**  
3           **primary owner.**
- 4           **(C) The electronic mail address of the business.**
- 5           **(D) Confirmation that the valuable metal dealer is able to**  
6           **connect electronically with the department for the purpose**  
7           **of sending and receiving information.**
- 8           **(E) Any other information required by the superintendent**  
9           **of the department.**
- 10          **(2) Pay an initial registration fee of two hundred dollars**  
11          **(\$200).**
- 12          **Sec. 4. A registration certificate issued to a valuable metal**  
13          **dealer is valid for a period of one (1) year. A valuable metal dealer**  
14          **may renew the registration certificate in the manner prescribed by**  
15          **the superintendent of the department. The superintendent shall**  
16          **charge a renewal fee of one hundred fifty dollars (\$150) to cover**  
17          **the costs of operating and maintaining the registry developed and**  
18          **implemented under this chapter.**
- 19          **Sec. 5. A valuable metal dealer registered under this chapter**  
20          **shall prominently display at the valuable metal dealer's place of**  
21          **business a copy of the annual registration certificate received from**  
22          **the superintendent of the department.**
- 23          **Sec. 6. Before January 1, 2018, the superintendent of the**  
24          **department shall develop and implement a registry of valuable**  
25          **metal dealers. The registry must be maintained as a secure data**  
26          **base for use by law enforcement agencies that is capable of all the**  
27          **following:**
- 28               **(1) Receiving and securely storing all the information**  
29               **required by section 3 of this chapter and the transaction data**  
30               **that valuable metal dealers are required to collect under**  
31               **IC 25-37.5-1-2.**
- 32               **(2) Providing secure search capabilities to law enforcement**  
33               **agencies for enforcement purposes.**
- 34               **(3) Making the electronic data collected under this chapter**  
35               **and IC 25-37.5-1-2 available through an electronic searchable**  
36               **format for individual law enforcement agencies and for**  
37               **valuable metal dealers in Indiana.**
- 38               **(4) Providing, without charge, interlink programming to**  
39               **enable the transfer of information to valuable metal dealers.**
- 40          **Sec. 7. A valuable metal dealer may search, modify, or update**  
41          **only the valuable metal dealer's own business data contained**  
42          **within the registry established under this chapter.**



1           **Sec. 8. (a) The superintendent of the department shall use fees**  
2 **received under this chapter to develop and maintain the registry**  
3 **required under this chapter.**

4           **(b) The superintendent shall deposit the fees into the valuable**  
5 **metal dealers registry fund established by section 9 of this chapter.**  
6 **January 11 Sec. 9. (a) As used in this section, "fund" refers to the**  
7 **Ways and Means. valuable metal dealers registry fund established**  
8 **by subsection (b).**

9           **(b) The valuable metal dealers registry fund is established to**  
10 **provide funds to administer this chapter. The department shall**  
11 **administer the fund.**

12           **(c) Expenses of administering the fund must be paid from**  
13 **money in the fund.**

14           **(d) The fund consists of:**

15               **(1) appropriations made by the general assembly; and**

16               **(2) fees collected under this chapter.**

17           **(e) The treasurer of state shall invest the money in the fund not**  
18 **currently needed to meet the obligations of the fund in the same**  
19 **manner as other public money may be invested. Interest that**  
20 **accrues from these investments must be deposited in the fund.**

21           **(f) An amount necessary to administer this chapter is**  
22 **continually appropriated from the fund to the department.**

23           **(g) Money in the fund at the end of a fiscal year does not revert**  
24 **to the state general fund.**

25           **Sec. 10. The superintendent may adopt rules under IC 4-22-2**  
26 **necessary to administer and enforce this chapter.**

