

Instructions for Obtaining a Precious Metal, Secondhand and Pawnbrokers Dealers License

Application:

Please be sure to fill out the application entirely. Incomplete applications will not be accepted and will delay the process. Make sure to have your application notarized as we do NOT have one here.

In addition, the following items are also required upon submission:

- A copy of your "Sales and Tax Use Permit" issued by the Connecticut Department of Revenue Services
- A copy of Driver's License or State of CT Issued Identification Card
- A signed copy of the FBI Privacy Act Statement
- A signed copy of the Noncriminal Justice Applicant's Privacy Rights
- Proof of bond from competent surety if required

Fees:

Pawnbroker License

Initial License- \$50.00
Yearly Renewal \$25.00
\$2,000.00 Bond Required

Precious Metals License

Initial License- \$10.00
Yearly Renewal \$10.00

Secondhand Dealers License

Initial License- \$250.00
Yearly Renewal \$100.00
\$10,000.00 Bond Required

Combination Secondhand Dealers/Pawnbroker License

Initial License- \$250.00
Yearly Renewal \$100.00
\$10,000 Bond Required for Both

Please make the above amount out to the Wallingford Police Department in the form of exact cash, money order or bank check.

Fingerprinting:

You must pre-enroll to be fingerprinted and pay online for initial applications. If you lapse your renewal, you will need to be re-fingerprinted. The website to enroll is <https://ct.flexcheck.us.idemia.io/cchrspreenroll>. The service code specific to Wallingford Police Department fingerprints for Pawnbroker is **2301-CC4F**, Precious Metals is **E1C6-2F12** and Secondhand Dealer is **9FB7-8F44**. If you are applying for multiple licenses, you need to be fingerprinted for each license. Once you are pre-enrolled to be fingerprinted, you MUST bring a copy of the barcode with you to be fingerprinted. Please note, once you complete the pre-enrollment process and pay online, there are no refunds.

Fingerprinting services are available Monday, Wednesday and Friday from 10:00am – 11:00am. There is NO fingerprinting done on Tuesday, Thursday, Saturday and Sunday.

Please allow 8-12 weeks for the Police Department to process your application. If you have any questions regarding the status of your application, please contact the Wallingford Police Department Records Division at 294-2810. The Records Division is open Monday – Friday, 8:00 am – 4:00 pm.

Permits expire one year upon issuance.

Employee Background Checks:

All employees must be listed on Page #3 of the application and will be subject to a background check. Please supply all the employee(s) date(s) of birth.

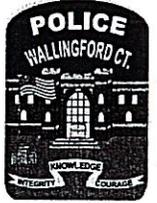
Please refer to the following website for requirements for above licenses:

www.cga.ct.gov/current/pub/chap409.htm or www.cga.ct.gov/current/pub/chap409.htm

Application for Licensing under C.G.S. Chapters 409/414

Date of Application:

Date of Fingerprint:



Type of Application:

- Pawnbroker Initial License fee \$50 Renewal \$25
 Secondhand Dealer Initial License fee \$250 Renewal \$100
 Combination Pawnbroker/Secondhand Dealer Initial License fee \$250
 Renewal \$100
 Precious Metal or Stones Dealer Initial License fee \$10 Renewal \$10

Wallingford Police Department

135 North Main Street
 Wallingford, CT 06492
 Phone: (203) 294-2810
 Fax: (203)294-2874

Name of Business:

Type of Business:

Last Name of Applicant:

First Name of Applicant:

Middle Name of Applicant:

Applicant's Date of Birth:

Sex:

Place of Birth:

Race:

Age:

BUSINESS ADDRESS		APPLICANT'S RESIDENTIAL ADDRESS	
Street Address:	<input type="text"/>	Street Address:	<input type="text"/>
Town or City/State:	<input type="text"/>	Town or City/State:	<input type="text"/>
Zip/Postal Code:	<input type="text"/>	Zip/Postal Code:	<input type="text"/>
Business Phone:	<input type="text"/>	Home Phone:	<input type="text"/>
Applicant's Current Occupation:	<input type="text"/>	Cell Phone:	<input type="text"/>

List all locations used or intended to be used for the purchase, receipt, storage or sale of property :

Physical address of property (include unit #)	City/Town & State, Zip Code	Use/intended use:
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

List all of the residential addresses used by the applicant over the past five years:

Street Address	City/Town & State, Zip Code	Dates resided from/to:
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Check here if an additional sheet is attached for locations used by business for purchase, receipt, storage or sale of property

Check here if an additional sheet is attached for applicant's residential addresses

Name of Applicant:

Date of Application:

EMPLOYMENT HISTORY (past five years)

1. Current or most recent

Name of Employer:

Name of last supervisor:

Dates of employment: From: To:

Complete Address:

Phone #:

Last job title:

2.

Name of Employer:

Name of last supervisor:

Dates of employment: From: To:

Complete Address:

Phone #:

Last job title:

3.

Name of Employer:

Name of last supervisor:

Dates of employment: From: To:

Complete Address:

Phone #:

Last job title:

Check here if an additional sheet is attached for applicant's employment history

PREVIOUS EXPERIENCE Has applicant had previous experience in the type of business for which a license is being sought under this application:

Name of Business:

Name of last supervisor:

Dates of employment: From: To:

Complete Address:

Phone #:

Last job title:

Check here if an additional sheet is attached for applicant's previous experience

Name of Applicant: _____

Date of Application: _____

CRIMINAL HISTORY - List all crimes for which you have been convicted.

Check if you have never been convicted of a crime

Crime	Date of Conviction	Court Where Convicted	Arresting Agency

Check here if an additional sheet is attached for criminal history

EMPLOYEES, PRINCIPALS IN BUSINESS, OFFICERS, SHAREHOLDERS, FINANCIAL BACKER or CREDITORS

List all persons required to be reported under Chapter 409 of the C.G.S.

Individual's Relationship to Business	Name	Address	Phone Number
Select One <input type="text"/>			
Select One <input type="text"/>			
Select One <input type="text"/>			
Select One <input type="text"/>			

Check here if an additional sheet is attached for EMPLOYEES, PRINCIPALS IN BUSINESS, OFFICERS, SHAREHOLDERS, FINANCIAL BACKER or CREDITORS

INTERNET WEB SITES OR ACCOUNTS List all Web sites and accounts required to be reported under Chapter 409 of the C.G.S.

#1	
#2	
#3	
#4	

Check here if an additional sheet is attached for Internet Web Sites and Accounts

The information submitted by me in this application is the truth. I agree that if I have falsified any item in this application and in the attached _____ pages, I will not be entitled to the license sought or the license may be revoked or suspended if information is found to 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.

Date: _____ Signature of Applicant: _____

(Must be signed in the presence of a Notary Public)

Subscribed and sworn to before me this _____ day of _____, 20____, in accordance with the Connecticut General Statutes.

Signature of Notary Public

Print Name of Notary Public

**State of Connecticut
Department of Emergency Services & Public Protection
Advisement of Pawnbroker Requirements**



Last Name	First Name	Middle Initial	Name of Business
Business address:			
Number, Street, Unit No. (No P.O. Box)		City/Town	Zip Code

Pawnbroker Requirements

As a person, as defined under Section 1 of Public Act 11-100, who is applying for a license from the State of Connecticut Department of Emergency Services and Public Protection (DESPP) to engage in or carry on the business of a pawnbroker at the address listed above, you are required, if so licensed, to comply with the requirements of Sections 21-39 through 21-47 of the Connecticut General Statutes, inclusive, as amended by Public Act 11-100, as well as the following requirements of the licensing authority, the Commissioner of the Department of Emergency Services and Public Protection:

If so licensed, the Commissioner of the Department of Emergency Services and Public Protection will issue a Pawnbroker License for the specific business, location and town or city for which you have applied. This license does not allow you to engage in or carry on the business of a pawnbroker as any other business, in any location or in any other town or city. The Commissioner of DESPP may, after notice and hearing, suspend or revoke such licenses for good cause which shall include, but is not limited to, failure to comply with any requirements for licensure specified by the licensing authority at the time of issuance. Such license shall be displayed in a conspicuous location in the place where such business is carried on.

You are required at the time of receipt of your license to file, with the Commissioner of DESPP, a bond, with competent surety, in the sum of two thousand dollars, to be approved by the Commissioner and conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed, unless you are also licensed as a Secondhand Dealer in accordance with section 10 of Public Act 11-100, in which case the bond of ten thousand dollars required under section 10 will be the only bond required.

During the term of such license, you shall notify the Commissioner of DESPP in writing of any additional places that will be used by the business for the purchase, receipt, storage or sale of property prior to such use, of the addition or discontinuation of any Internet web sites or accounts used to conduct the business and of the addition of any employees, officers, shareholders, financial backers or creditors or any other individual with a relationship to the entity similar to that of an officer shareholders, financial backers or creditors.

No pawnbroker licensee shall take, receive or purchase tangible personal property without receiving and copying 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. No pawnbroker licensee shall enter into any pledge or purchase transaction with a minor unless such minor is accompanied by such minor's parent or guardian and the identification of such parent or guardian is copied as if they were the person that the property was received or purchased from.

You are required to maintain a computerized record-keeping system deemed appropriate by the Commissioner of DESPP. Entries shall be entered in English. At the time that any pawnbroker licensee receives any article of personal property by way of pledge, deposit or purchase, a description of such article and the current location that it is stored, the name, residence address, proof of identity as required above, a general description of the person from whom, and the date and hour when, such property was received shall be entered into such computerized record-keeping system. The system shall also include a digital photograph of each such article if the property does not contain any identifiable numbers or markings. 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. The Commissioner of DESPP authorizes the removal of such tags from certain articles such as jewelry for the purposed of cleaning and repair, while the article is being cleaned or repaired on the premises by the licensee only after an entry is first made into the computerized record-keeping system of such removal and only when such removal is necessary to prevent destruction of the tag or when it interferes with the ability to clean or repair the article. A subsequent entry into the record-keeping system shall be made upon the return of such tag onto such item. Such tag shall be visible in the digital photograph of such item.

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, municipal police officer, or employees of the DESPP Special Licensing and Firearms Unit. Any state police officer, municipal police officer or employee of the DESPP Special Licensing and Firearms Unit who performs such an examination may require any employee on the premises to provide proof of the employee's identity. All records maintained within this record-keeping system shall be retained by you for not less than two years.

The description of any property received by any pawnbroker licensee shall be entered into the computerized record-keeping system deemed appropriate by the Commissioner of DESPP and 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.

Initialed by applicant:

Advisement of Pawnbroker Requirements

Page 2

Last Name	First Name	Middle Initial	Name of Business

Pawnbroker Requirements (continued)

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 the pawnbroker licensee will deliver to the person who deposits, pledges or sells such property a memorandum or note containing (1) the statutorily required entry in your computerized record-keeping system by the provisions of section 21-41, as amended by Public Act 11-100 (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 you harmless for any loss arising from the transaction because of a superior right of possession to the property residing with a third person. You 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.

You shall pay for any property received by deposit, pledge or purchase only by check, draft or money order and shall not pay cash for any such property except when you cash a check, draft or money order for the person who is depositing, pledging or selling the property. When any pawnbroker licensee cashes a check, draft or money order, they 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 Public Act 11-100.

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 Public Act 11-100. 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 Public Act 11-100, as part of such computerized 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.

You shall submit an electronic file in EXCEL format to the Commissioner of DESPP on a daily basis to an email address that will be provided by DESPP, describing the 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 property was received.

No pawnbroker shall sell or dispose of any personal property left with 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 sixty days from the date when the same is left in deposit or pledge 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 place of business of such pawnbroker or at public sale after 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.

A Pawnbroker license is in effect for one year from the date it is issued. A Pawnbroker license does not allow you to engage in the business of a Secondhand Dealer or Precious metals and stones dealer, as defined under Section 1 of Public Act 11-100, unless so licensed. A licensee seeking renewal of such license shall file an application for renewal at least sixty days before the expiration of such license. This license is not transferable. Any person who willfully engages in the business of a pawnbroker, unless licensed according to law, or after notice that his or her license has been suspended or revoked, shall be guilty of a class D felony. Any person who willfully violates any of the provisions of Sections 21-39 through 21-47 of the Connecticut General Statutes, inclusive, as amended by Public Act 11-100 for which no other penalty is provided shall be guilty of a class A misdemeanor.

As a person, as defined under Section 1 of Public Act 11-100, who is applying for a license from the State of Connecticut Department of Emergency Services and Public Protection (DESPP) to engage in or carry on the business of a pawnbroker at the address listed above, I understand and agree that if licensed I will ensure compliance with the requirements of Sections 21-39 through 21-47 of the Connecticut General Statutes, inclusive, as amended by Public Act 11-100, as well as the requirements of the Commissioner of the Department of Emergency Services and Public Protection as listed above.

Date: _____ Signature of Applicant: _____
(Must be signed in the presence of a Notary Public)

Subscribed and sworn to before me this _____ day of _____, 20_____, in accordance with the Connecticut General Statutes.

Signature of Notary Public: _____ Print Name of Notary Public: _____

My Commission Expires: _____.

Written communications should be addressed to: DESPP - Special Licensing and Firearms Unit Attn: Chapter 409/414 Licensing Section -1111 Country Club Road, Middletown, CT. 06457-2389. The telephone number of the Special Licensing and Firearms Unit is (860) 685-8046, the Special Licensing and Firearms Unit fax number is 860-685-8496.

Connecticut Criminal History Request System
Fingerprint Service Code Form

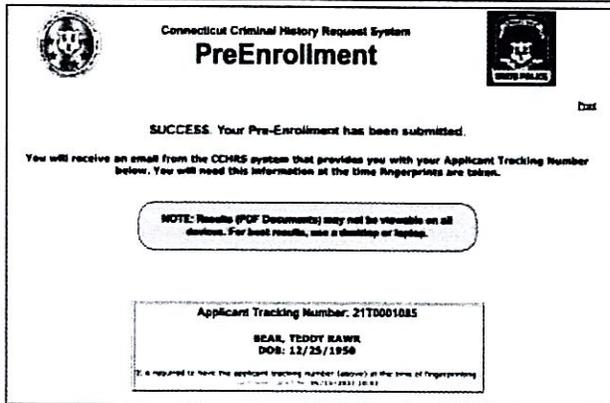
Service Name: Pawnbroker

To register for your fingerprints to be taken, please visit
<https://ct.flexcheck.us.idemia.io/cchrspreenroll> and enter the following
Service Code:

2301-CC4F

Service Code is unique to your hiring/licensing agency. Do not use this code for another purpose.

- After entering the Service Code, confirm the Fingerprint Reason by selecting the “Yes – This information looks Correct” option.
- Complete the Pre-Enrollment information as completely as possible. All fields in bold font/blue highlight are mandatory to move forward with the process. After filling out all applicable fields, move to the next section by selecting the “Submit Pre-Enrollment” button at the bottom of the screen.
- After completing the pre-enrollment steps, a confirmation screen will appear confirming registration is complete, including your Applicant Tracking Number. **This Tracking Number will need to be taken to your fingerprinting session. It will also be sent to the e-mail address you provided during registration.**



Connecticut Criminal History Request System
PreEnrollment

SUCCESS Your Pre-Enrollment has been submitted.

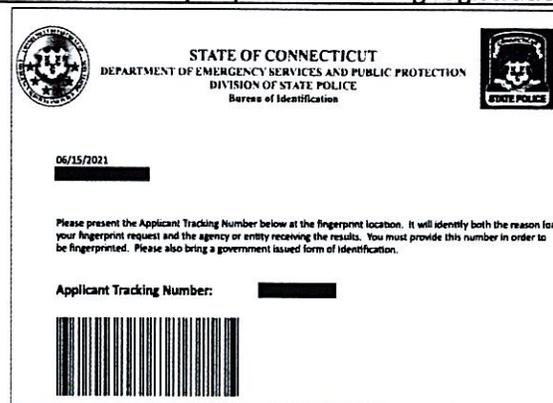
You will receive an email from the CCHRS system that provides you with your Applicant Tracking Number below. You will need this information at the time Fingerprints are taken.

NOTE: Results (PDF Documents) may not be viewable on all devices. For best results, use a desktop or laptop.

Applicant Tracking Number: 21T0001085

BEAR, TEDDY EARL
DOB: 12/25/1958

It is required to have the applicant tracking number (above) at the time of fingerprinting.



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
DIVISION OF STATE POLICE
Bureau of Identification

06/15/2021

Please present the Applicant Tracking Number below at the fingerprint location. It will identify both the reason for your fingerprint request and the agency or entity receiving the results. You must provide this number in order to be fingerprinted. Please also bring a government issued form of identification.

Applicant Tracking Number: [REDACTED]



Noncriminal Justice Applicant's Privacy Rights

Requesting Entity: Wallingford Police Department

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below. All notices must be provided to you in writing. ¹ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28 Code of Federal Regulations (CFR), 50.12, among other authorities.

- You must be provided an adequate written FBI Privacy Act Statement (dated 2013 or later), by the agency that will receive your criminal history results, when you submit your fingerprints and associated personal information. This Privacy Act Statement must explain the authority for collecting your fingerprints and associated information and whether your fingerprints and associated information will be searched, shared, or retained. ²
- You must be advised in writing of the procedures for obtaining a change, correction, or update of your FBI criminal history record as set forth at 28 CFR 16.34.
- You must be provided the opportunity to complete or challenge the accuracy of the information in your FBI criminal history record (if you have such a record).
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the FBI criminal history record.
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <https://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI by submitting a request via <https://www.edo.cjis.gov>. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)
- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council. ³

Updated 11/6/2019

If you need additional information or assistance, please contact:

Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480	Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306
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SIGNATURE	DATE
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This document must be retained by the Entity.

¹ Written notification includes electronic notification, but excludes oral notification.

² See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

Requesting Entity: Wallingford Police Department

FBI Privacy Act Statement

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

As of 03/30/2018

Note: This privacy act statement is located on the back of the FD-258 fingerprint card.

SIGNATURE	DATE
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This document must be retained by the Entity.

**Federal Bureau of Investigation
United States Department of Justice
Privacy Act Statement**

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

As of 03/30/2018

CHAPTER 409*

PAWNBROKERS AND SECONDHAND DEALERS

*Cited. 201 C. 89.

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Secs. 21-47f to 21-47m. Reserved

Sec. 21-39. Pawnbroker license required. Loans on intangible property excepted. No person shall, in any city or town of this state, engage in or carry on the business of a pawnbroker unless such person is licensed in accordance with section 21-40; 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.

(1949 Rev., S. 4663; P.A. 97-164, S. 1; P.A. 11-100, S. 2.)

History: P.A. 97-164 added references to "limited liability company"; P.A. 11-100 made conforming changes re definitions in Sec. 21-39a added by same act.

Cited. 201 C. 89.

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Sec. 21-39a. Definitions. As used in sections [21-39](#) to [21-47](#), inclusive, [21-47d](#), [21-47e](#) and [21-100](#):

- (1) "Pawnbroker" means a person, other than a person operating an automated kiosk for consumer electronics in accordance with section [21a-446](#), 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, used clothing dealer, used children's products dealer, used sporting equipment dealer, dealer in motor vehicles as described in chapter 246, auctioneer as described in chapter 403, junk dealer, as defined in section [21-9](#), scrap metal processor, as defined in section [14-67w](#), recycling facility, as defined in section [22a-207](#), bona fide charitable or religious corporation, person operating an automated kiosk for consumer electronics in accordance with section [21a-446](#) 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) "Used clothing dealer" means a person who is primarily engaged in the business of buying and selling clothing previously purchased from a source other than a wholesaler;
- (12) "Used children's products dealer" means a person who is primarily engaged in the business of buying and selling children's products, excluding products regulated by the federal Food and Drug Administration, previously purchased from a source other than a wholesaler;
- (13) "Used sporting equipment dealer" means a person who is primarily engaged in the business of buying and selling sporting equipment previously purchased from a source other than a wholesaler;
- (14) "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;
- (15) "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 Emergency Services and Public Protection; and
- (16) "Person" means an individual, corporation, limited liability company, partnership or association.

(P.A. 11-100, S. 1; June 12 Sp. Sess. P.A. 12-2, S. 107; P.A. 13-160, S. 1; P.A. 23-109, S. 3.)

History: June 12 Sp. Sess. P.A. 12-2 replaced "Commissioner of Public Safety" with "Commissioner of Emergency Services and Public Protection" in Subdiv. (12), effective June 15, 2012; P.A. 13-160 redefined "secondhand dealer" by adding "used clothing dealer, used children's products dealer, used sporting equipment dealer," in Subdiv. (3), added Subdiv. (11) defining "used clothing dealer", Subdiv. (12) defining "used children's products dealer" and Subdiv. (13) defining "used sporting equipment dealer", and redesignated existing Subdivs. (11), (12) and (13) as Subdivs. (14), (15) and (16); P.A. 23-109 redefined "pawnbroker" in Subdiv. (1) and "secondhand dealer" in Subdiv. (3) by excluding persons operating automated kiosks for consumer electronics in accordance with Sec. 21a-446.

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Sec. 21-40. Issuance of licenses. Fees. Applications. Criminal history records checks. Suspension, revocation or modification of license. (a) The licensing authority of any town or city may grant licenses to suitable persons to be pawnbrokers in such town or city respectively, and may suspend or revoke such licenses 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.

(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 Emergency Services and Public Protection, for the benefit of the Department of Emergency Services and Public Protection, to the licensing authority 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 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 [21-47d](#), 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 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 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.

(1949 Rev., S. 4664; 1972, P.A. 223, S. 28; P.A. 97-164, S. 2; P.A. 01-175, S. 18, 32; P.A. 11-100, S. 3; June 12 Sp. Sess. P.A. 12-2, S. 108.)

History: 1972 act provided for \$25 fee per year for renewal of license; P.A. 97-164 included the business of lending money on the "deposit" of personal property and the business "of purchasing such property from a person who is not a wholesaler", prohibited the issuance of a license to any person convicted of a felony, authorized the fingerprinting of applicants and required any fingerprints taken to be submitted to the F.B.I. for a national criminal history records check; P.A. 01-175 replaced provisions re fingerprinting and national criminal history records check with provisions re state and national criminal history records checks pursuant to Sec. 29-17a, effective July 1, 2001; P.A. 11-100 substantially revised section, redesignated existing language as Subsecs. (a) to (c) re granting of licenses, license fees and expiration of licenses and as Subsec. (f) re license prohibition for person convicted of a felony, and added Subsecs. (d), (e) and (g) re information required for license application, time frames for license approval and renewals, and provisions re suspension, revocation or

modification of license; June 12 Sp. Sess. P.A. 12-2 replaced references to Commissioner and Department of Public Safety with references to Commissioner and Department of Emergency Services and Public Protection in Subsec. (b), effective June 15, 2012.

Cited. 201 C. 89.

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Sec. 21-41. Proof of identity required. Record-keeping requirements. (a) No pawnbroker shall take, receive or purchase 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. 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 shall maintain a computerized record-keeping system deemed appropriate by the licensing authority, in which shall be entered in English, at the time the pawnbroker receives any article of personal property by way of pledge, 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 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, municipal police officer, the licensing authority or any person by them designated. Any state police officer or municipal police officer who performs such an examination may require any employee on the premises to provide proof of 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.

(1949 Rev., S. 4665; P.A. 93-115; P.A. 97-164, S. 3; P.A. 05-288, S. 87; P.A. 11-100, S. 4.)

History: P.A. 93-115 added new provisions as Subsec. (a) requiring a person depositing or purchasing items from a pawnbroker to provide proof of identification, designating former provisions as Subsec. (b); P.A. 97-164 amended Subsec. (a) to delete reference to "loan broker", include any person who "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", replace the provision that no pawnbroker or person shall "sell" such property without proof of "identification" of the person "purchasing" the property with provision that no pawnbroker or person shall "purchase" such property without proof of "the identity" of the person "selling" the property, require the identification to include an address "if available on the identification" and include "an identifying number", and add penalty provision of an infraction for a first violation and a class A misdemeanor for a second or subsequent

violation committed within two years, and amended Subsec. (b) to include the business of loaning money on the “deposit” of personal property and the business “of purchasing such property on the condition of selling the same back again at a stipulated price or of purchasing such property from a person who is not a wholesaler”, require the maintenance of a “record-keeping system” rather than a “book”, include articles received by “purchase” in the record-keeping requirement, authorize examination “by any municipal police officer” and authorize any state policeman or municipal police officer to require any employee to provide proof of his identity; P.A. 05-288 made technical changes in Subsec. (b), effective July 13, 2005; P.A. 11-100 made conforming changes re definitions in Sec. 21-39a added by same act, amended Subsec. (a) to delete penalty provision and prohibit pawnbroker from entering into transaction with a minor unless minor is accompanied by such minor's parent or guardian, amended Subsec. (b) to add photographic and tag identification record-keeping requirements and specify that record-keeping system be computerized, and added Subsecs. (c) and (d) re description requirements for property received by a pawnbroker and exemption from description provision.

Cited. 201 C. 89.

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Sec. 21-42. Documents and copies provided by pawnbroker. Payment requirements. Limitations on check cashing by pawnbroker. (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 deliver to the person who deposits, pledges or sells such property a memorandum or note containing (1) the entry required to be made in such pawnbroker's computerized record-keeping system by the provisions of section [21-41](#), (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 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 depositing, pledging or selling the property. When the pawnbroker cashes a check, draft or money order, 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](#).

(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](#). 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 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.

(1949 Rev., S. 4666; P.A. 97-164, S. 4; P.A. 11-100, S. 5.)

History: P.A. 97-164 made section applicable to a pawnbroker who purchases property on condition of selling the same back again at a stipulated price or purchases property from a person who is not a wholesaler, required the delivery of a memorandum or note to a person who sells property to a pawnbroker, replaced “book” with “record-keeping system”, deleted prohibition on a pawnbroker charging for making the entry in the book or delivering the memorandum or note, required a pawnbroker to pay by check, draft or money order for any

property received and prohibited payment by cash except when the pawnbroker cashes a check, draft or money order, required the pawnbroker to receive proof of identity when cashing a check, draft or money order and added penalty provision of class A misdemeanor; P.A. 11-100 made conforming changes re definitions in Sec. 21-39a added by same act, designated existing provisions as Subsec. (a) and amended same to add provisions re additional statements to be signed by and a copy provided to the person depositing, pledging or selling property and delete penalty provision, and added Subsec. (b) re payment requirements and limitations on check cashing by pawnbroker.

Cited. 201 C. 89.

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Sec. 21-43. Statement of transactions. Each pawnbroker 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 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 property was received. 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.

(1949 Rev., S. 4667; P.A. 11-100, S. 6.)

History: P.A. 11-100 made conforming changes re definitions in Sec. 21-39a added by same act, deleted penalty provision and added provisions re statement to be in electronic format and exemption from electronic reporting requirement.

Cited. 201 C. 89.

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Sec. 21-44. Rates of interest. No pawnbroker or person who loans money on the deposit or pledge of personal property shall take or receive, for the use of money loaned on personal property, any more than the following rates: For the use of money amounting to fifteen dollars or less, five per cent per month or fraction thereof; for the use of money exceeding fifteen dollars in amount and not exceeding fifty dollars in amount, three per cent per month or fraction thereof; for the use of money exceeding fifty dollars in amount, two per cent per month or fraction thereof.

(1949 Rev., S. 4669; P.A. 97-164, S. 5.)

History: P.A. 97-164 deleted reference to a “loan broker”, included the loaning of money on the “deposit” of personal property and deleted reference to “directly or indirectly” taking or receiving interest.

Pawnbroker does not violate section until he actually receives the unlawful interest. 63 C. 385. Discrimination in rate of interest allowed pawnbrokers is proper. 82 C. 234; 83 C. 1; 218 U.S. 5; Id., 563. Cited. 120 C. 664; 123 C. 95. Applies to repurchase transactions. 201 C. 89. Section governs rates of interest and not rates pawnbrokers may charge in connection with repurchase agreements; the latter rates are subject to limits imposed by Sec. 37-4; holding in 201 C. 89 legislatively overruled by enactment of P.A. 97-164. 313 C. 535.

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Sec. 21-45. Sale or disposition of deposited or pledged property. No pawnbroker shall sell or dispose of any personal property left with 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 sixty days from the date when the same is left in deposit or pledge 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 place of business of such pawnbroker or at public sale after 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.

(1949 Rev., S. 4670; P.A. 97-164, S. 6; P.A. 11-100, S. 7.)

History: P.A. 97-164 replaced references to “lender” with “pawnbroker”, reduced from six to two months the period pledged property must be held, and replaced provision that all such property “shall be sold or disposed of, at public or private sale,” with provision that all such property “may be sold or disposed of at the premises of such pawnbroker or at public sale”; P.A. 11-100 deleted requirement re newspaper advertisement prior to sale or disposition of property deposited with or pledged or sold to pawnbroker, specified that pawnbroker acquires entire interest in such property after 60 days if person who deposited or pledged such property fails to redeem such property within such time period, and made technical changes.

Cited. 77 C. 150. Applies to repurchase transactions. 201 C. 89.

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Sec. 21-46. Security not defeated by out-of-state conditional sale. Section 21-46 is repealed.

(1949 Rev., S. 4671; 1959, P.A. 133, S. 10-102.)

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Sec. 21-46a. Seizure of property by law enforcement officer. Restitution. Whenever property is seized from the place of business of a pawnbroker by a law enforcement officer, such officer shall give the pawnbroker 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 and the name of the pawnbroker. If the pawnbroker claims an ownership interest in such property, he or she 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. If the person who deposited, pledged or sold any property received by a pawnbroker is convicted of any offense arising out of such pawnbroker's acquisition, retention or disposition of the property and such pawnbroker suffered an economic loss as a result of such offense, the court, at the time of sentencing, may order restitution to such pawnbroker pursuant to subsection (c) of section 53a-28 and such order may be enforced in accordance with section 53a-28a.

(P.A. 97-164, S. 8; P.A. 11-100, S. 8; P.A. 12-204, S. 3; P.A. 13-255, S. 2.)

History: P.A. 11-100 inserted “precious metals or stones dealer or secondhand dealer”, added provision re restitution to pawnbroker or dealer, and made technical changes; P.A. 12-204 deleted references to secondhand dealer, effective July 1, 2012; P.A. 13-255 deleted references to precious metals or stones dealers.

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Sec. 21-47. Penalties. (a) Any person who wilfully engages in the business of a pawnbroker, unless licensed according to law, or after notice that his or her license has been suspended or revoked, shall be guilty of a class D felony.

(b) Any person who wilfully violates any of the provisions of this chapter for which no other penalty is provided shall be guilty of a class A misdemeanor.

(1949 Rev., S. 4668; P.A. 97-164, S. 7; P.A. 11-100, S. 9.)

History: P.A. 97-164 added reference to “limited liability company”, increased the penalty for engaging in business without a license to a class D felony, increased the penalty to a class A misdemeanor for violating provisions of the chapter for which no other penalty is provided, neglecting to keep a record-keeping system or make the required entries, refusing to allow inspection of such system and receiving property from a minor and designated said latter penalty provision as new Subsec. (b); P.A. 11-100 made conforming changes re definitions in Sec. 21-39a added by same act, amended Subsec. (a) to add “suspended or” and delete provision re treble forfeiture, amended Subsec. (b) to delete provision re record-keeping system, and made technical changes.

Cited. 201 C. 89.

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Secs. 21-47a to 21-47c. Reserved for future use.

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Sec. 21-47d. Secondhand dealer license. Fees. Applications. Criminal history records checks. Suspension or revocation of license. Exemption. Penalty. (a) No person shall engage in the business of a secondhand dealer, as defined in section [21-39a](#), 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 Emergency Services and Public Protection, for the benefit of the Department of Emergency Services and Public Protection, 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](#). 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.

(P.A. 11-100, S. 10; June 12 Sp. Sess. P.A. 12-2, S. 109.)

History: June 12 Sp. Sess. P.A. 12-2 replaced references to Commissioner and Department of Public Safety with references to Commissioner and Department of Emergency Services and Public Protection in Subsec. (b), effective June 15, 2012.

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Sec. 21-47e. Proof of identity required. Record-keeping requirements. Payment terms. Statement of transactions. Sale or disposition of property. Seizure of property by law enforcement officer. Restitution. Penalty. (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 in 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 is licensed in any city or town as a pawnbroker pursuant to section [21-40](#) may pay for property received pursuant to a secondhand dealer license issued in accordance with section [21-47d](#) in

the manner authorized under section [21-42](#), 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](#). 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](#), which order may be enforced in accordance with section [53a-28a](#).

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

(P.A. 11-100, S. 11; June 12 Sp. Sess. P.A. 12-2, S. 93; P.A. 21-68, S. 1.)

History: June 12 Sp. Sess. P.A. 12-2 made a technical change in Subsec. (b); P.A. 21-68 amended Subsec. (f) re manner of payment for property received by dealer who is licensed as a pawnbroker, effective July 1, 2021.

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Secs. 21-47f to 21-47m. Reserved for future use.

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