

Instructions to complete an application for Precious Metals and Stones Dealer in the Town of Cheshire

(Revised 1/2023)

To process your request for a Precious Metals and Stones Dealer, the following attached items must be completed and submitted to the Cheshire Police Department Records Division:

- Application for Precious Metals and Stone Dealer
- A signed copy of the FBI Privacy Act Statement
- A signed copy of the Noncriminal Justice Applicant's Privacy Rights

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 your Driver's License or State of CT Issued Identification Card
- Payment in the proper form:
 - A cashier's check or money order in the amount of \$10.00 made payable to the Town of Cheshire must be submitted with your application per sec. 21-100 of the Connecticut General Statutes (CGS). Permits expire one year upon issuance.

Please Note: Do not submit an application unless you have been fingerprinted

Fingerprinting

You must pre-enroll to be fingerprinted and pay the State of CT fee of \$88.25 online. The website to enroll is <https://ct.flexcheck.us.idemia.io/cchrspreenroll> . The service code specific for Cheshire Police Department is **0C44-4CE2** which must be entered upon accessing the pre-enrollment website. Once you are pre-enrolled to be fingerprinted, you **MUST** bring a copy of the barcode with you at the time of your fingerprints. Please note, once you complete the pre-enrollment process and pay online, there are no refunds. The fingerprinting fees are set by the State of Connecticut and subject to change.

Fingerprinting services are available at The Cheshire Police Department between the hours of 7:00am to 7:00pm on Mondays and Saturdays (appointments are not necessary).

Please familiarize yourself with Connecticut General Statute - Sec. 21-100 prior to submitting your application. Sec. 21-100 are the laws that govern Purchasers of Precious Metals and Stones. A current copy of this General Statute is attached to this application.

List locations used or intended to be used for the purchase, receipt, storage or sale of goods.

Arrest Record. If none, indicate "N/A"

Charge	Disposition	Date of Arrest	Town of Arrest

List all Employees and Principals in the Business:

Name	Date of Birth	Phone Number	Title

I hereby certify that the information provided is true and accurate. I understand that if I have falsified any information in this application or on the attached pages, I will not be entitled to the license sought or this license may be revoked or suspended. I fully understand that if I intentionally make a statement that is untrue and which is intended to mislead a public servant in the performance of his or her official function, I will be in violation of Section 53a-157b 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

My Commission expires: _____

Agency Privacy Requirements for Noncriminal Justice Applicants

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy. 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), Section 50.12, among other authorities.

- Officials must provide to the applicant written notification¹ that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials must ensure that an applicant receives, and acknowledges receipt of, an adequate Privacy Act Statement when the applicant submits his/her fingerprints and associated personal information.²
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the employment, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34.
- Officials should not deny the employment, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.³

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

If you need additional information or assistance, contact:

<p>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</p>	<p>Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306</p>
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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), 50.12(b) and 906.2(d).

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.

Noncriminal Justice Applicant's Privacy Rights

Requesting Entity: Cheshire 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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CHAPTER 414

PURCHASERS OF PRECIOUS METALS AND STONES

Sec. 21-100. License required. Record-keeping system. Permitted activities. Sworn statement of transactions. Property retention requirements. Seizure of property by law enforcement officials. Penalty. (a) No person may engage in or carry on the business of purchasing gold or gold-plated ware, silver or silver-plated ware, platinum ware, watches, jewelry, precious stones, bullion or coins unless such person is licensed as a precious metals or stones dealer by the licensing authority of the municipality in which such person intends to carry on such business; except that the provisions of this subsection shall not apply to the purchase of such items from a wholesaler by a manufacturer or retail seller whose primary place of business is located in this state. Such person shall pay an annual fee of ten dollars for such license. The license may be revocable 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. The licensing authority shall refuse to issue a license under this subsection to a person who (1) has been convicted of a felony, or (2) fails to provide evidence that such person holds the permit provided for in section 12-409, has a Connecticut tax registration number and is registered with the Secretary of the State to do business in this state. The licensing authority may require any applicant for a license to submit to state and national criminal history records checks. If the licensing authority requires such criminal history records checks, such checks shall be conducted in accordance with section 29-17a. For the purposes of this subsection "wholesaler" means a person in the business of selling tangible personal property to be resold at retail or raw materials to be manufactured into suitable forms for use by consumers.

(b) Any person who wilfully engages in the business of a precious metals or stones 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.

(c) No licensee shall purchase gold or gold-plated ware, silver or silver-plated ware, platinum ware, watches, jewelry, precious stones, bullion or coins 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.

(d) (1) Each licensee shall maintain a record-keeping system in which shall be entered in English, at the time the licensee purchases any gold or gold-plated ware, silver or silver-plated ware, platinum ware, watches, jewelry or precious stones, a description of such property 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 property. Except as provided in subsection (f) of this section, the description of any such property purchased by a licensee 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.

(2) Any licensee who purchases bullion or coins shall, at the time of such purchase, enter in such record-keeping system in English a description of the bullion or coins purchased 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 bullion or coins were purchased.

(3) Each entry in such record-keeping system shall be numbered consecutively. Such number shall be visible in any digital photograph required under subdivision (1) of this subsection and shall be retained with the property purchased or received until the sale or other disposition of such property.

(e) Any state police officer or municipal police officer shall have access to any record required to be kept under this section and may inspect the place where the business is carried on as well as any property purchased or received. 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 licensee for not less than two years. The licensee shall maintain a place of business with a street

address within this state, at which the property purchased or received and the required records shall be available for such inspection.

(f) The licensing authority may provide for an exemption from the requirements of subsections (d) and (e) of this section, or establish additional or different requirements concerning the description of any property purchased by a licensee, 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.

(g) No licensee may purchase any property from a minor unless such minor is accompanied by a parent or guardian.

(h) Each such licensee may only pay for property received by check or money order and no cash shall be transferred to either party in the course of a transaction subject to the provisions of this section. The licensee 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. The licensee 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. Any licensee who pays cash or cashes a check or money order shall be guilty of a class A misdemeanor. No licensee may advertise that he or she will pay for property received with cash.

(i) Any precious metals or stones dealer who was licensed in any city or town as a pawnbroker pursuant to section 21-40 on March 31, 2011, and who continues to hold such license, may pay for property received pursuant to a precious metals or stones dealer license issued in accordance with this section in the manner authorized under section 21-42 until July 1, 2021, provided such precious metals or stones dealer complies with all other provisions of this section relating to precious metals or stones dealers.

(j) At the time of making any purchase each licensee shall deliver to the person selling property a receipt containing the information required to be recorded in subsection (d) of this section, the amount paid for any property sold and the name and address of the purchaser.

(k) Upon request by the licensing authority, a licensee shall submit to the licensing authority, on a weekly basis or more frequently at the option of the licensee, 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 purchased. 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. Such sworn statement shall not be deemed a public record for the purposes of the Freedom of Information Act, as defined in section 1-200.

(l) No licensee shall sell or dispose of any property, other than bullion or coins, acquired in any transaction in the course of business in less than five days after the date of such transaction, and no licensing authority may require a licensee to refrain from selling or disposing of such property for more than five days after the date of such transaction. The licensing authority may grant exemptions from the requirements of this subsection for good cause shown.

(m) Whenever property is seized from the place of business of a precious metals or stones dealer by a law enforcement officer, the officer shall give the 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 dealer and the name of the dealer. If the dealer claims an ownership interest in such property, the 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 the dealer is convicted of any offense arising out of the dealer's acquisition of the property and the dealer suffered an economic loss as a result of such offense, the court may, at the time of sentencing, order restitution to the dealer pursuant to subsection (c) of section 53a-28, which order may be enforced in accordance with section 53a-28a.

(n) Any person who violates any provision of this section, for which no other penalty is provided, shall be fined not more than one thousand dollars.