

FIRST REGULAR SESSION

# HOUSE BILL NO. 676

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES NICHOLS (Sponsor), ROORDA, BLACK,  
RHOADS AND WILSON (Co-sponsors).

1527H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 578, RSMo, by adding thereto one new section relating to jewelry, with a penalty provision.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 578, RSMo, is amended by adding thereto one new section, to be known as section 578.125, to read as follows:

**578.125. 1. As used in this section, the following terms shall mean:**

**(1) “Department”, the department of insurance;**

**(2) “Jewelry”, any item used for aesthetic purposes and composed of not more than fourteen carats of pure gold, silver, or platinum including, but not limited to, watches, rings, necklaces, bracelets, numismatic coins and substantially similar items with potential sentimental significance, but excluding gold, silver, or platinum bullion, industrial gold, silver, or platinum or gold, silver, or platinum scrap, gold nuggets, or gold, silver or platinum that is typically and customarily used for monetary and investment purposes; and**

**(3) “Refiner”, any person who buys jewelry for the purpose of refining such jewelry into a purer form for sale on the open market, and thereby intends to reap a profit through arbitrage based on the difference between the price of unrefined gold, silver, or platinum and the spot price of pure gold, silver, or platinum.**

**2. Any refiner purchasing jewelry in this state shall obtain a copy of photographic identification from the seller of such items, create and retain a copy of a photographic record of the jewelry, and shall wait for a period of not less than thirty days prior to**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 refining or selling such jewelry to another refiner. The photographic identification and  
18 jewelry records shall be retained for a period of not less than two years from the time each  
19 item was obtained.

20       **3. Notwithstanding any other provision of law, a refiner may set the purchase price**  
21 **of the jewelry based on the end of the thirty-day period in a manner similar to futures**  
22 **contracts, or may discount the price paid for the jewelry at the start of the thirty-day**  
23 **period as compensation for holding the jewelry prior to refinement and sale.**

24       **4. A first violation of subsection 2 of this section shall be an infraction and shall be**  
25 **punishable by a fine not to exceed one thousand dollars. Any second or subsequent**  
26 **violation of subsection 1 of this section shall be a class A misdemeanor.**

27       **5. Subject to appropriation, the department is authorized to conduct investigations**  
28 **concerning violations of this section, and may reveal its results to a county prosecutor or**  
29 **the office of the attorney general.**

30       **6. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
31 **created under the authority delegated in this section shall become effective only if it**  
32 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
33 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
34 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**  
35 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
36 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2013,**  
37 **shall be invalid and void.**

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