

Bill No. 40-18  
Concerning: Secondhand Personal  
Property – Dealers – License  
Revised: 2/5/2019 Draft No. 4  
Introduced: December 11, 2018  
Enacted: February 5, 2019  
Executive: February 14, 2019  
Effective: May 16, 2019  
Sunset Date: None  
Ch. 3, Laws of Mont. Co. 2019

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: Councilmember Friedson and Council Vice-President Katz  
Co-Sponsors: Councilmember Alborno, Council President Navarro, and Councilmember Riemer

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**AN ACT** to:

- (1) exclude certain personal property from the definition of secondhand personal property;
- (2) provide that a secondhand personal property dealer license expires one year from the date of issuance; and
- (3) generally amend County laws related to secondhand personal property.

By amending

Montgomery County Code  
Chapter 44A, Secondhand Personal Property  
Sections 44A-1, [[and]] 44A-11, and 44A-18

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Sections 44A-1, ~~[[and]] 44A-11, and 44A-18~~ are amended as follows:**

2           **44A-1. Definitions.**

3           When used in this Chapter:

4   \*       \*       \*

5           *Director* means the Chief of Police.

6   \*       \*       \*

7           *Firearm* means a device as defined in MD Code, Public Safety, § 5-101(h), as  
8           amended.

9   \*       \*       \*

10           *Personal property* includes radios and other audio equipment; televisions and  
11           other video equipment; photographic, optical and computer equipment;  
12           typewriters, calculators and other electronic or electrical home or office  
13           appliances, machines or equipment; firearms; bicycles; jewelry; furs, leather  
14           goods; watches; paintings; fine or historic china, crystal, glass or porcelain;  
15           objets d'art; power tools; carpets and rugs; musical instruments; and any item  
16           serialized, marked for identification purposes, or engraved.

17   \*       \*       \*

18           *Secondhand personal property* means previously owned personal property  
19           offered for sale or as collateral by any person, other than the manufacturer,  
20           wholesale distributor, or original retail seller, acting in the ordinary course of  
21           business. Secondhand personal property does not include:

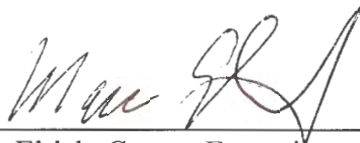
- 22                   (1)   personal property purchased at a public sale; [or]  
23                   (2)   items of personal property that do not include a firearm that [[is]]  
24                               are offered for sale only on residential property and [[is]] are:  
25                               (A)   owned by a resident of that property; or  
26                               (B)   part of the estate of a deceased immediate past resident of  
27                               that property; or



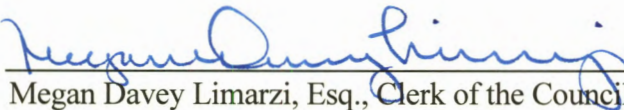
Approved:

  
\_\_\_\_\_  
Nancy Navarro, President, County Council 2/7/19  
Date

Approved:

  
\_\_\_\_\_  
Marc Elrich, County Executive 2/14/19  
Date

*This is a correct copy of Council action.*

  
\_\_\_\_\_  
Megan Davey Limarzi, Esq., Clerk of the Council 2/21/19  
Date