

**PRECIOUS METALS AND GEM DEALER
APPLICATION FOR CERTIFICATE OF REGISTRATION
BRIGHTON POLICE DEPARTMENT**

INSTRUCTIONS TO APPLICANT

The application packet contains the following:

1. Application for a certificate of registration as a precious metal and gem dealer in the City of Brighton.
2. Supplemental application for employees.
3. A sample transaction form for use in recording transactions in compliance with state law. Dealer prepared forms with similar content are acceptable. ***It is the responsibility of the dealer to print forms for use.***
4. A copy of Public Act 95 of 1981 as amended (MCL 445.481 – 445.492).
5. A copy of Public Act 328 of 1931, Section 535 (MCL 750.535).

Instructions:

1. Complete the application as indicated on the application form.
2. Complete a supplemental list of employees if applicable.
3. Return the completed application along with required materials to the Brighton Police Department, 440 S. Third Street, during the hours of 8am to 5pm, Monday – Friday. The thumb print required on the application form will be taken at that time.
4. Be prepared to pay the \$50.00 application fee at the time the application is presented to the Police Department (non-refundable). Checks should be made payable to the City of Brighton.
5. You will be notified when the application has been approved or denied. If approved, you will be provided with a Certificate of Registration, which must be posted at the business.

Precious Metal & Gem Dealer Application For Dealer's Certificate of Registration City of Brighton

Applicant Last Name	First Name	Middle Name
Driver's License Number or State ID Number	State	Date of Birth
Applicant's Home Address		Home Phone
Business Address (separate application required for each business in Brighton)		Business Phone
Business Name		Cell Phone (optional)
<p>Applicant must supply a list of employees who may conduct transactions. The list must include the name, address, and date of birth of each such employee.</p>		
<p>I have been provided a copy of Act 95 of the Public Acts of 1981 and Act 328 of 1931, Section 535. I understand that neither I nor any of my agents or employees may conduct business under Act 95 of the Public Acts of 1981 for five years if convicted of a felony under the Act, or under Section 535 of Act 328 of the Public Acts of 1931, as amended; nor for one year if convicted of a misdemeanor under either said Acts.</p>		
<p>_____</p> <p>Applicant signature</p>		<p>_____</p> <p>Date</p>

DO NOT WRITE BELOW THIS LINE – OFFICIAL USE ONLY

Right Thumb Print of Applicant	Signature of Officer Taking Print	Date
	Indicate if print of finger other than right thumb and reason:	
Payment of \$50.00 Application Fee (non-refundable) <input type="checkbox"/> Cash <input type="checkbox"/> Money Order <input type="checkbox"/> Check (made out to City of Brighton)	Approval / Denial <input type="checkbox"/> Approved, Certificate Number _____ <input type="checkbox"/> Denied	
Signature of Chief of Police		Date

SAMPLE

**Record of Transaction
Precious Metal & Gem Dealer**

SAMPLE

Name of Business	Address of Business & Phone Number
Dealer Certificate Number (must be <u>printed</u> on form)	Transaction Number (must be <u>printed</u> on form)

Quantity	Description of Property	Amount
ALL PROPERTY WILL BE RETAINED FOR A MINMUM OF NINE (9) DAYS		Total

Employee	Date of Transaction	<input type="checkbox"/> Cash <input type="checkbox"/> Bank Draft / Money Order No. _____ <input type="checkbox"/> Check No. _____
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CUSTOMER INFORMATION			
THUMB PRINT <input type="checkbox"/> Right <input type="checkbox"/> Other _____	Full Name		Date of Birth
	Street Address		
	City	State	Zip
	Operator's License or State Personal ID Card		State
	Customer Signature		Date

Distribution: Original (with thumb print) retained by Dealer
Copy to customer
Copy to Brighton Police Department within 48 hours of transaction
Copy to police department where customer resides, if other than Brighton

Completion of this form is mandated by Public Act 95 of 1981, as amended.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.481 Short title.

Sec. 1. This act shall be known and may be cited as “the precious metal and gem dealer act”.

History: 1981, Act 95, Eff. Sept. 11, 1981.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.482 Definitions.

Sec. 2. As used in this act:

(a) "Agent or employee" means a person who, for compensation or valuable consideration, is employed either directly or indirectly by a dealer.

(b) "Dealer" means any person, corporation, partnership, or association, which, in whole or in part, engages in the ordinary course of repeated and recurrent transactions of buying or receiving precious items from the public within this state.

(c) "Gold" means elemental gold having an atomic weight of 196.967 and the chemical element symbol of Au, whether found by itself or in combination with its alloys or any other metal.

(d) "Internet drop-off store" means a person, corporation, or firm that contracts with other persons, corporations, or firms to offer its precious items for sale, purchase, consignment, or trade through means of an internet website and meets the conditions described in section 3(3).

(e) "Jewelry" means an ornamental item made of a material that includes a precious gem.

(f) "Local governmental unit" means a city, village, township, or county.

(g) "Local police agency" means the police agency of the city, village, or township, or if none, the county sheriff of the county, in which the dealer or internet drop-off store conducts business.

(h) "Platinum" means elemental platinum having an atomic weight of 195.09 and the chemical element symbol of Pt, whether found by itself or in combination with its alloys or any other metal.

(i) "Precious gem" means a diamond, alexandrite, ruby, sapphire, opal, amethyst, emerald, aquamarine, morganite, garnet, jadeite, topaz, tourmaline, turquoise, or pearl.

(j) "Precious item" means jewelry, a precious gem, or an item containing gold, silver, or platinum. Precious item does not include the following:

(i) Coins, commemorative medals, and tokens struck by, or in behalf of, a government or private mint.

(ii) Bullion bars and discs of the type traded by banks and commodity exchanges.

(iii) Items at the time they are purchased directly from a dealer registered under this act, a manufacturer, or a wholesaler who purchased them directly from a manufacturer.

(iv) Industrial machinery or equipment.

(v) An item being returned to or exchanged at the dealer where the item was purchased and that is accompanied by a valid sales receipt.

(vi) An item which is received for alteration, redesign, or repair in a manner that does not substantially change its use and returned directly to the customer.

(vii) An item which does not have a jeweler's identifying mark or a serial mark and which the dealer purchases for less than \$5.00.

(viii) Scrap metal which contains incidental traces of gold, silver, or platinum that are recoverable as a by-product.

(ix) Jewelry which a customer trades for other jewelry having a greater value, and which difference in value is paid by the customer.

(k) "Silver" means elemental silver having an atomic weight of 107.869 and the chemical element symbol of Ag, whether found by itself or in combination with its alloys or any other metal.

History: 1981, Act 95, Eff. Sept. 11, 1981;—Am. 1990, Act 34, Eff. May 1, 1990;—Am. 2006, Act 295, Imd. Eff. July 20, 2006.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.483 Dealer; certificate of registration required; internet drop-off store exempt from registration; application; fee; disclosures; dealer, agent, or employee convicted of misdemeanor or felony; compliance with local ordinances; issuance and posting of certificate; notification of change in name or address.

Sec. 3. (1) A dealer shall not conduct business in a local governmental unit in this state unless the dealer has obtained a valid certificate of registration from that local governmental unit or local police agency.

(2) This section does not require an internet drop-off store complying with subsection (3), or a person engaged in the sale, purchase, consignment, or trade of precious items for himself or herself, to obtain a registration under this act.

(3) An internet drop-off store in compliance with the following conditions is exempt from registration as a dealer under this act:

(a) Has a fixed place of business within this state except that he or she exclusively transacts all purchases or sales by means of the internet and the purchases and sales are not physically transacted on the premises of that fixed place of business.

(b) Has the personal property or other valuable thing available on a website for viewing by photograph, if available, by the general public at no charge, which website shall be searchable by zip code or state, or both. The website viewing shall include, as applicable, serial number, make, model, and other unique identifying marks, numbers, names, or letters appearing on the personal property or other valuable thing.

(c) Maintains records of the sale, purchase, consignment, or trade of the personal property or other valuable thing for at least 2 years, which records shall contain a description, including a photograph, if available, and, if applicable, serial number, make, model, and other unique identifying marks, numbers, names, or letters appearing on the personal property or other valuable thing.

(d) Provide the local police agency with any name under which it conducts business on the website and access to the business premises at any time during normal business hours for purposes of inspection.

(e) Within 24 hours after a request from a local police agency, provide an electronic copy of the seller's or consignor's name, address, telephone number, driver license number and issuing state, the buyer's name and address if applicable, and a description of the personal property or other valuable thing as described in subdivision (c). The provision of information shall be in a format acceptable to the local police agency but shall at least be in a legible format and in the English language.

(f) Provide that payment for the personal property or other valuable thing is executed by means of check or other electronic payment system, so long as the payment is not made in cash. No payment shall be provided to the seller until the item is sold.

(g) Immediately remove the personal property or other valuable thing from the website if the local police agency determines that the personal property or other valuable thing is stolen.

(4) A dealer shall apply to the local police agency for a certificate of registration, and pay a fee not to exceed \$50.00 to cover the reasonable cost of processing and issuing the certificate of registration, by disclosing the following information:

(a) The name, address, and thumbprint of the applicant.

(b) The name and address under which the applicant does business.

(c) The name, address, and thumbprint of all agents or employees of the dealer. Within 24 hours after hiring a new employee, the dealer shall forward to the local police agency the name, address, and thumbprint of the new employee.

(5) A dealer or an agent or employee of a dealer who is convicted of a misdemeanor under this act or under section 535 of the Michigan penal code, 1931 PA 328, MCL 750.535, shall not be permitted to operate as a dealer within this state for a period of 1 year after conviction.

(6) A dealer or an agent or employee of a dealer who is convicted of a felony under this act or under section 535 of the Michigan penal code, 1931 PA 328, MCL 750.535, shall not be permitted to operate as a dealer within this state for a period of 5 years after the conviction.

(7) This act shall not be construed to excuse a dealer from complying with the local zoning ordinance or any local ordinance regulating commercial activities. However, a local government may not pass an ordinance, or enforce an existing ordinance, that provides additional standards which must be met before the issuance of a certificate of registration.

(8) Upon receipt of the application described in subsection (4), the local police agency shall issue a certificate of registration in accordance with this section.

(9) Upon receipt of the certificate of registration from the local police agency, the dealer shall post it in a

conspicuous place in the dealer's place of business.

(10) Not less than 10 days before a dealer changes the name or address under which the dealer does business, the dealer shall notify the local police agency of the change.

History: 1981, Act 95, Eff. Sept. 11, 1981;—Am. 2006, Act 295, Imd. Eff. July 20, 2006.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.484 Permanent record of each transaction; forms; copies; information required; numbering; sending copy of record of transaction form to police agency or sheriff's department; inspection; confidentiality; retention period; size of form; definition.

Sec. 4. (1) A dealer shall maintain a permanent record of each transaction, on record of transaction forms provided for in subsection (6), legibly written in ink in the English language. Each record of transaction form shall be filled out in quadruplicate by the dealer or agent or employee of the dealer. One copy of the form shall go to the appropriate police agency or sheriff's department pursuant to subsection (3); 1 copy shall go to the customer; and 1 copy shall be retained by the dealer pursuant to subsection (5). At the time a dealer receives or purchases a precious item, the dealer or the agent or employee of the dealer shall insure that the following information is recorded accurately on a record of transaction form:

(a) The dealer certificate of registration number.

(b) A general description of the precious item or precious items received or purchased, including the type of metal or precious gem. In the case of watches, the description shall contain the name of the maker and the number of both the works and the case. In the case of jewelry, all letters and marks inscribed on the jewelry shall be included in the description.

(c) The date of the transaction.

(d) The name of the person conducting the transaction.

(e) The name, date of birth, driver's license number or state of Michigan personal identification card number, and street and house number of the customer, together with a legible imprint of the right thumb of the customer, or if that is not possible, of the left thumb or a finger of the customer. However, the thumbprint or fingerprint shall only be required on the record of transaction form retained by the dealer. The thumbprint or fingerprint shall be made available to a police agency during the course of a police investigation involving a precious item or items described on the record of transaction. After a period of 1 year from the date of the record of transaction, if a police investigation concerning a precious item or items described on the record of transaction has not occurred, the dealer and any police agency or sheriff's department holding a copy of the record of transaction shall destroy, and not keep a permanent record of, the record of transaction. A dealer who goes out of business or changes his or her business address to another local jurisdiction either within or out of this state shall transmit the records of all transactions made by the dealer within 1 year before his or her closing or moving, to the local police agency.

(f) The price to be paid by the dealer for the precious item or precious items.

(g) The form of payment made to the customer; check, money order, bank draft, or cash. If the payment is by check, money order, or bank draft, the dealer shall indicate the number of the check, money order, or bank draft.

(h) The customer's signature.

(2) The record of each transaction shall be numbered consecutively, commencing with the number 1 and the calendar year.

(3) Within 48 hours after receiving or purchasing a precious item, the dealer shall send a copy of the record of transaction form to the local police agency and, if the record of transaction form indicates that the customer resides outside the jurisdiction of the local police agency, shall send a copy of the record of transaction form to the police agency of the city, village, or township in which the customer resides as set forth on the record of transaction, or, if that city, village, or township does not have a police agency, to the sheriff's department of the county in which the customer resides as set forth on the record of transaction. The record of transaction forms received by a police agency or sheriff's department shall not be open to inspection by the general public. Each police agency or sheriff's department holding record of transaction forms shall be responsible for insuring the confidentiality of the record of transaction forms and insuring that the record of transaction forms are used only for the purpose for which they were received.

(4) The record of transaction forms of a dealer and each precious item received shall be open to an inspection by the county prosecuting attorney, the local police agency, the police agency or sheriff's department of the local governmental unit in which the customer resides, and the Michigan state police, at all times during the ordinary business hours of the dealer. As a condition of doing business, a dealer is considered to have given consent to the inspection prescribed by this subsection. The record of transaction forms of a dealer shall not be open to inspection by the general public.

(5) Except as otherwise provided in this section, each record of a transaction shall be retained by the dealer for not less than 1 year after the transaction to which the record pertains.

(6) The form of the record of transaction shall have an 8-1/2 by 11 inch size and shall be as follows:

"Record of Transaction

Dealer Certificate # _____ # _____
(Printed on the form) (Transaction number printed on the form)

(1) Description of Property - _____

(2) _____, 19____ (3) _____
(Date) (Name of Dealer/Employee)

(4) _____, _____ 19____
(Name of Customer) (Date of Birth)

(Driver's license No./ Mich. Personal ID Number) (Street Address)

(City & State) (Zip)

(5) _____
(Price Paid) (County of Residence)

(6) _____
(Check no., bank draft no., money order no., or cash)

(Name of police agency of city, village, or township in which customer resides)

Thumbprint _____"
(Signature of Customer)

(7) As used in this section, "customer" means the person from whom the dealer or the agent or employee of the dealer receives or purchases a precious item.

History: 1981, Act 95, Eff. Sept. 11, 1981;—Am. 1990, Act 34, Eff. May 1, 1990.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.485 Retaining precious item for 9 calendar days; alteration.

Sec. 5. A precious item received by a dealer shall be retained by the dealer for 9 calendar days after it was received, without any form of alteration other than that required to make an accurate appraisal of its value.

History: 1981, Act 95, Eff. Sept. 11, 1981;—Am. 1990, Act 34, Eff. May 1, 1990.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.486 Prohibited conduct.

Sec. 6. A dealer or an agent or employee of a dealer shall not:

(a) Knowingly receive or purchase a precious item from any person who is less than 18 years of age or any person known by the dealer or agent or employee of the dealer to have been convicted of theft or receipt of stolen property within the preceding 5 years, whether the person is acting in his or her own behalf or as the agent of another.

(b) Knowingly receive or purchase a precious item from a person unless that person presents a valid driver's license or a valid state of Michigan personal identification card.

History: 1981, Act 95, Eff. Sept. 11, 1981.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.487 Failure to make entry in records as misdemeanor or felony; penalty.

Sec. 7. (1) A dealer or an agent or employee of a dealer who knowingly fails to make an entry of any material matter in his or her records kept as required by section 4 is guilty of a misdemeanor, punishable by imprisonment for not more than 1 year, or a fine of \$1,000.00, or both.

(2) A dealer or an agent or employee of a dealer who knowingly violates subsection (1) a subsequent time is guilty of a felony, punishable by imprisonment for not more than 2 years, or a fine of \$5,000.00, or both.

History: 1981, Act 95, Eff. Sept. 11, 1981.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.488 Violation of MCL 445.483(7) or (8) or 445.484(1)(e), (3), (4), or (5) as misdemeanor or felony; penalty.

Sec. 8. (1) A dealer who knowingly violates section 3(7), 3(8), 4(1)(e), 4(3), 4(4), or 4(5) is guilty of a misdemeanor, punishable by imprisonment for not more than 1 year, or a fine of \$1,000.00, or both.

(2) A dealer who violates section 3(7), 3(8), 4(1)(e), 4(3), 4(4), or 4(5) a subsequent time is guilty of a felony, punishable by imprisonment for not more than 2 years, or a fine of \$5,000.00, or both.

History: 1981, Act 95, Eff. Sept. 11, 1981.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.489 Conduct constituting felony; penalty.

Sec. 9. A dealer or an agent or employee of a dealer who does any of the following is guilty of a felony, punishable by imprisonment for not more than 2 years, or a fine of \$5,000.00, or both:

- (a) Totally fails to record a transaction on a record of transaction form as required by section 4.
- (b) Knowingly falsifies the records kept as required by section 4.
- (c) Violates section 6.

History: 1981, Act 95, Eff. Sept. 11, 1981.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.490 Violation of MCL 445.483(1) or 445.485 as felony; penalty.

Sec. 10. A dealer who violates section 3(1) or 5 is guilty of a felony, punishable by imprisonment for not more than 2 years, or a fine of \$5,000.00, or both.

History: 1981, Act 95, Eff. Sept. 11, 1981.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.491 Action against dealer; grounds; damages, costs, and attorneys' fees.

Sec. 11. A person who has a precious item stolen, embezzled, or converted from him or her may bring an action for 3 times the amount of the damages, costs of suit, and reasonable attorneys' fees against any dealer who, by himself or herself or through his or her agent or employee, received or purchased the precious item knowing it was stolen, embezzled, or converted.

History: 1981, Act 95, Eff. Sept. 11, 1981.

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.492 Effective date.

Sec. 12. This act shall take effect 60 days after it is enacted into law.

History: 1981, Act 95, Eff. Sept. 11, 1981.

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.535 Buying, receiving, possessing, concealing, or aiding in concealment of stolen, embezzled, or converted property or motor vehicle; violation; penalty; rebuttable presumption; enhanced sentence based on prior convictions; prohibited defense.

Sec. 535. (1) A person shall not buy, receive, possess, conceal, or aid in the concealment of stolen, embezzled, or converted money, goods, or property knowing, or having reason to know or reason to believe, that the money, goods, or property is stolen, embezzled, or converted.

(2) If any of the following apply, a person who violates subsection (1) is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$15,000.00 or 3 times the value of the property purchased, received, possessed, or concealed, whichever is greater, or both imprisonment and a fine:

(a) The property purchased, received, possessed, or concealed has a value of \$20,000.00 or more.

(b) The property purchased, received, possessed, or concealed has a value of \$1,000.00 or more but less than \$20,000.00, and the person has 2 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subdivision, however, a prior conviction does not include a conviction for a violation or attempted violation of subsection (4)(b) or (5).

(3) If any of the following apply, a person who violates subsection (1) is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00 or 3 times the value of the property purchased, received, possessed, or concealed, whichever is greater, or both imprisonment and a fine:

(a) The property purchased, received, possessed, or concealed has a value of \$1,000.00 or more but less than \$20,000.00.

(b) The property purchased, received, possessed, or concealed has a value of \$200.00 or more but less than \$1,000.00, and the person has 1 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subdivision, however, a prior conviction does not include a conviction for a violation or attempted violation of subsection (4)(b) or (5).

(4) If any of the following apply, a person who violates subsection (1) is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00 or 3 times the value of the property purchased, received, possessed, or concealed, whichever is greater, or both imprisonment and a fine:

(a) The property purchased, received, possessed, or concealed has a value of \$200.00 or more but less than \$1,000.00.

(b) The property purchased, received, possessed, or concealed has a value of less than \$200.00, and the person has 1 or more prior convictions for committing or attempting to commit an offense under this section or a local ordinance substantially corresponding to this section.

(5) If the property purchased, received, possessed, or concealed has a value of less than \$200.00, a person who violates subsection (1) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00 or 3 times the value of the property purchased, received, possessed, or concealed, whichever is greater, or both imprisonment and a fine.

(6) The values of property purchased, received, possessed, or concealed in separate incidents pursuant to a scheme or course of conduct within any 12-month period may be aggregated to determine the total value of property purchased, received, possessed, or concealed.

(7) A person shall not buy, receive, possess, conceal, or aid in the concealment of a stolen motor vehicle knowing, or having reason to know or reason to believe, that the motor vehicle is stolen, embezzled, or converted. A person who violates this subsection is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00 or 3 times the value of the motor vehicle purchased, received, possessed, or concealed, whichever is greater, or both imprisonment and a fine. A person who is charged with, convicted of, or punished for a violation of this subsection shall not be convicted of or punished for a violation of another provision of this section arising from the purchase, receipt, possession, concealment, or aiding in the concealment of the same motor vehicle. This subsection does not prohibit the person from being charged, convicted, or punished under any other applicable law.

(8) If the prosecuting attorney intends to seek an enhanced sentence based upon the defendant having 1 or more prior convictions, the prosecuting attorney shall include on the complaint and information a statement listing the prior conviction or convictions. The existence of the defendant's prior conviction or convictions shall be determined by the court, without a jury, at sentencing or at a separate hearing for that purpose before sentencing. The existence of a prior conviction may be established by any evidence relevant for that purpose, including, but not limited to, 1 or more of the following:

(a) A copy of the judgment of conviction.

- (b) A transcript of a prior trial, plea-taking, or sentencing.
- (c) Information contained in a presentence report.
- (d) The defendant's statement.

(9) A person who is a dealer in or collector of merchandise or personal property, or the agent, employee, or representative of a dealer or collector of merchandise or personal property who fails to reasonably inquire whether the person selling or delivering the stolen, embezzled, or converted property to the dealer or collector has a legal right to do so or who buys or receives stolen, embezzled, or converted property that has a registration, serial, or other identifying number altered or obliterated on an external surface of the property, is presumed to have bought or received the property knowing the property is stolen, embezzled, or converted. This presumption is rebuttable.

(10) If the sentence for a conviction under this section is enhanced by 1 or more prior convictions, those prior convictions shall not be used to further enhance the sentence for the conviction pursuant to section 10, 11, or 12 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.10, 769.11, and 769.12.

(11) It is not a defense to a charge under this section that the property was not stolen, embezzled, or converted property at the time of the violation if the property was explicitly represented to the accused person as being stolen, embezzled, or converted property.

History: 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1941, Act 11, Eff. Jan. 10, 1942;—CL 1948, 750.535;—Am. 1952, Act 40, Eff. Sept. 18, 1952;—Am. 1957, Act 69, Eff. Sept. 27, 1957;—Am. 1972, Act 242, Eff. Mar. 30, 1973;—Am. 1974, Act 55, Imd. Eff. Apr. 1, 1974;—Am. 1979, Act 11, Eff. Mar. 27, 1980;—Am. 1998, Act 311, Eff. Jan. 1, 1999;—Am. 2002, Act 720, Eff. Apr. 1, 2003;—Am. 2006, Act 374, Eff. Oct. 1, 2006.

Constitutionality: The statutory presumption in MCL 750.535(2) that a dealer in personal property is presumed to know that property received with an altered serial number is stolen does not violate due process requirements because there is a rational connection between the proven facts and the fact presumed. *People v Gallagher*, 404 Mich 429; 273 NW2d 440 (1979).

Former law: See section 20 of Ch. 154 of R.S. 1846, being CL 1857, § 5764; CL 1871, § 7571; How., § 9142; CL 1897, § 11556; CL 1915, § 15301; CL 1929, § 16902; and Act 220 of 1897.