

Bill No. 38-14  
Concerning: Secondhand Personal  
Property – Definitions – Payment  
Revised: 07/09/2014 Draft No. 2  
Introduced: July 29, 2014  
Enacted: October 14, 2014  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the request of the County Executive

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**AN ACT to:**

- (1) exclude certain items of personal property with resale value below a certain dollar amount from the definition of secondhand personal property;
- (2) permit payment by store credit; and
- (3) generally amend the secondhand personal property law

By amending

Montgomery County Code  
Chapter 44A, Secondhand Personal Property  
Sections 44A-1 and 44A-9

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

**Section 1. Sections 44A-1 and 44A-9 are amended as follows:**

**44A-1. Definitions.**

When used in this Chapter:

\* \* \*

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

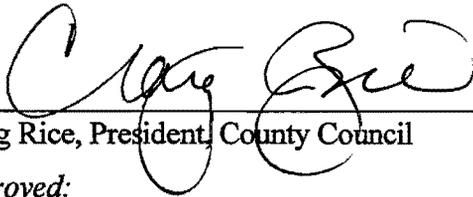
- (1) personal property purchased at public sale[.]; or
- (2) items of personal property that have a resale value below a dollar threshold specified for that type of personal property in a regulation adopted under method (3).

\* \* \*

**44A-9. Payments by check or store credit.**

A dealer must pay for each item of secondhand personal property by check or by granting a credit toward the purchase of other merchandise from the dealer, except as permitted by regulation under method (3).

*Approved:*



10/14/14

Craig Rice, President, County Council

Date

*Approved:*

Isiah Leggett, County Executive

Date

*This is a correct copy of Council action.*

Linda M. Lauer, Clerk of the Council

Date