

- (i) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another person;
- (ii) fraudulently or deceptively uses a license;
- (iii) has a similar license denied, suspended, or revoked in another jurisdiction;
- (iv) under the laws of the United States or of any state, is convicted of a:

- 1. felony; or

- 2. misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to be involved in a pawn transaction or the sale or acquisition of secondhand precious metals;

- (v) knowingly employs or knowingly continues to employ, after being notified by the Secretary, an individual who, under the laws of the United States or of any state, is convicted of:

- 1. a felony; or

- 2. a misdemeanor that is directly related to the fitness and qualification of the employee to be involved in a pawn transaction or the sale or acquisition of secondhand precious metals;

- (vi) knowingly employs or knowingly continues to employ in any capacity, after being notified by the Secretary, an individual whose precious metals dealer's license has been revoked;

- (vii) willfully fails to provide or willfully misrepresents any information required to be provided under this title;

- (viii) violates this title; or

- (ix) violates a regulation adopted under this title.

[(3) The Secretary shall distribute periodically to all dealers a list of individuals whose licenses have been revoked in the State.]

(3) (I) INSTEAD OF OR IN ADDITION TO REPRIMANDING A LICENSEE OR SUSPENDING OR REVOKING A LICENSE UNDER THIS SUBSECTION, THE SECRETARY MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000 FOR EACH VIOLATION.

(II) TO DETERMINE THE AMOUNT OF THE PENALTY IMPOSED UNDER THIS SUBSECTION, THE SECRETARY SHALL CONSIDER:

- 1. THE SERIOUSNESS OF THE VIOLATION;
- 2. THE HARM CAUSED BY THE VIOLATION;
- 3. THE GOOD FAITH OF THE LICENSEE; AND