The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

SB 30 Original | 2015 Regular Session | Kostelka

Present law provides that every secondhand dealer must obtain a signed statement from the seller that the junk or used or secondhand property has been paid for or is owned by the seller. Present law further provides that a secondhand dealer who obtains the required statement from the seller is exonerated from any fraudulent, willful, or criminal knowledge within the meaning of present law relative to secondhand dealers.

Proposed law retains present law.

Present law provides that a scrap metal recycler must obtain a signed statement from the seller of scrap metal that the scrap metal has been paid for or is owned by the seller. Present law further provides that a scrap metal recycler who obtains the required statement from the seller is exonerated from any fraudulent, willful, or criminal knowledge within the meaning of present law relative to scrap metal recyclers.

Proposed law retains present law.

Present law defines the crime of illegal possession of stolen things as the intentional possessing, procuring, receiving, or concealing of any thing of value that has been the subject of any robbery or theft, under circumstances indicating that the offender knew or had good reason to believe that the thing was the subject of one of these offenses.

Proposed law retains present law and adds that no person is exempt from prosecution for the present law crime of illegal possession of stolen things for any act committed with fraudulent, willful, or criminal knowledge regardless of any other presumption or exemption provided by present law, including but not limited to any signed statement of ownership executed by a purported owner of property conveyed.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:69(E))