HLS 19RS-1607 REENGROSSED

2019 Regular Session

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HOUSE BILL NO. 613 (Substitute for House Bill No. 233 by Representative Wright)
BY REPRESENTATIVE WRIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SECONDHAND DEALERS: Provides relative to the types of payments accepted by secondhand dealers

AN ACT

2	To amend and reenact R.S. 37:1864.3(A), relative to the transactions of secondhand dealers;
3	to provide for precious metals; to provide for other metals; to remove restrictions
4	relative to the buying and selling of precious metals and other metals by secondhand
5	dealers; to provide for limitations; to provide for multiple transactions; and to
6	provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 37:1864.3(A) is hereby amended and reenacted to read as follows:
9	§1864.3. Payment by check for copper, aluminum-copper air conditioning coils,
10	precious metals, or other metals required; check cashing prohibited; penalties
11	A.(1) A secondhand dealer shall not enter into any cash transactions in
12	payment for the purchase of copper or aluminum-copper air conditioning coils.
13	Payment for copper or aluminum-copper air conditioning coils shall be made in the
14	form of a check made payable to the seller of the copper or aluminum-copper air
15	conditioning coils and mailed to the address recorded on the photo identification of
16	the seller no earlier than five business days after the date of the transaction.
17	(2) A secondhand dealer shall not enter into any cash transactions in
18	payment for the purchase of any precious metal object. Payment for a precious metal
19	object shall be made in the form of a check made payable to the seller of the metal.

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(3) (2) A secondhand dealer shall not enter into any cash transactions in excess of three hundred dollars in payment for the purchase of metal property other than copper, aluminum-copper air conditioning coils, or a precious metal object. Payments in excess of three hundred dollars for metals other than copper, aluminum-copper air conditioning coils, or a precious metal object shall be made in the form of a check made payable to the name and address of the seller and may be tendered to the seller at the time of the transaction. The secondhand dealer, at his discretion, may make payment by either cash or other method for transactions of three hundred dollars or less for all metals other than copper or aluminum-copper air conditioning coils, or a precious metal object.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 613 Reengrossed

2019 Regular Session

Wright

Abstract: Removes restrictions relative to the buying and selling of precious metals and other metals by secondhand dealers.

<u>Present law</u> requires that payment for copper or aluminum-copper air conditioning coils from a secondhand dealer be made by check payable to the seller. Further requires that the check be mailed to the address on the seller's photo identification no earlier than five business days after the transaction. <u>Proposed law</u> retains <u>present law</u>.

<u>Present law</u> prohibits a secondhand dealer from entering into any cash transactions in payment for the purchase of any precious metal object.

Proposed law repeals present law.

<u>Present law</u> requires payment for a precious metal object to be made in the form of a check made payable to the seller of the metal.

Proposed law repeals present law.

<u>Present law</u> prohibits a secondhand dealer from entering into any cash transactions, in excess of \$300 in payment for the purchase of metal property other than copper, aluminum-copper air conditioning coils, or a precious metal object.

Proposed law retains present law.

<u>Present law</u> requires payments in excess of \$300 for metals other than copper, aluminum-copper air conditioning coils, or a precious metal object to be made in the form of a check

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made payable to the name and address of the seller and allows the payment to be made to the seller at the time of the transaction.

Proposed law retains present law.

(Amends R.S. 37:1864.3(A))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Restore <u>present law</u> to prohibit a secondhand dealer from entering into any cash transactions, in excess of \$300 in payment for the purchase of metal property other than copper, aluminum-copper air conditioning coils, or a precious metal object.
- 2. Restore <u>present law</u> to require payments in excess of \$300 for metals other than copper, aluminum-copper air conditioning coils, or a precious metal object to be made in the form of a check made payable to the name and address of the seller and allow the payment to be made to the seller at the time of the transaction.
- 3. Restore <u>present law</u> to prohibit any secondhand dealer from allowing a seller to engage in multiple transactions within a 24-hour period totaling more than \$300 for the purposes of circumventing present law.
- 4. Make technical changes.