The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 182 Original

2023 Regular Session

Connick

Present law provides for the licensure and regulation of secondhand dealers.

<u>Present law</u> provides that any licensed secondhand dealer who violates, neglects, or refuses to comply with any provision of <u>present law</u> shall be fined not less than \$250 nor more than \$500 or be imprisoned for not less than 30 days nor more than 60 days, or both.

<u>Present law</u> provides that for a second offense a licensed secondhand dealer's occupational license shall be suspended for a 30-day period and for his third offense his license shall be revoked and he shall not be permitted to engage in the business of secondhand dealer in the state.

<u>Proposed law</u> increases the penalty for any secondhand dealer who violates, neglects, or refuses to comply with <u>present law</u> as follows:

- (1) For a first offense, a fine not less than \$2,500 nor more than \$5,000 or imprisonment with or without hard labor for not more than two years, or both, and suspension of the occupational license for 30 days.
- (2) For a second offense, a fine not less than \$2,500 nor more than \$5,000 or imprisonment with or without hard labor for not less than two years nor more than five years, or both, and revocation of the occupational license.

<u>Present law</u> provides that anyone acting as an unlicensed secondhand dealer without complying with the provisions of <u>present law</u> shall be fined not less than \$250 or be imprisoned for not less than 30 days nor more than 60 days, or both.

<u>Present law</u> provides that for a second offense, the offender shall be fined not more than \$2,000 or be imprisoned with or without hard labor for not more than two years, or both; provides that for a third or subsequent offense, the offender shall be fined not more than \$10,000 or be imprisoned with or without hard labor for not more than five years, or both.

<u>Proposed law</u> increases the penalty for anyone acting as an unlicensed secondhand dealer without complying with the provisions of <u>present law</u> as follows:

- (1) For a first offense, a fine not less than \$2,500 nor more than \$5,000 or imprisonment with or without hard labor for not more than two years, or both.
- (2) For a second offense, a fine not less than \$2,500 nor more than \$5,000 or imprisonment with or without hard labor for not less than two years nor more than five years, or both.

(3) For a third or subsequent offense, a fine not less than \$5,000 nor more than \$10,000 or imprisonment with or without hard labor for not less than five years nor more than 10 years, or both.

Effective August 1, 2023.

(Amends R.S. 37:1869(A) and (B) and 1870)