

HOUSE BILL REPORT

SB 5330

As Passed House - Amended
April 17, 1993

Title: An act relating to second-hand property.

Brief Description: Exempting auction sold property from a statutory holding period.

Sponsors: Senators Haugen, Moore and Amondson.

Brief History:

Reported by House Committee on:
Commerce & Labor, April 2, 1993, DP;
Passed House - Amended, April 17, 1993, 66-30.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 8 members:
Representatives Heavey, Chair; Lisk, Ranking Minority
Member; Chandler, Assistant Ranking Minority Member; Conway;
Horn; King; Springer; and Veloria.

Staff: Jim Kelley (786-7166).

Background: Under the provisions of a 1991 amendment to the Pawnbrokers and Secondhand Dealers Act, property bought or received on consignment must stay on the premises for 30 days except in cases where the property is redeemed or returned to the original owner.

Auctioneers and auctioneering companies are regulated under the provisions of the Auctioneers Act, Chapter 18.11 RCW.

Summary of Bill: The Department of Licensing may exempt, by rule, secondhand property bought or received on consignment or sold at an auction conducted by a licensed auctioneer from the 30-day retention requirement mandated under the pawnbrokers and secondhand dealers statute.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Auctioneers are not like pawnbrokers. There is no need for a holding period on consigned property. If

enforced, this requirement would cause a great burden. The auctioneer statute does have a three year holding period on consignment records.

Testimony Against: The nature of this property is no different than the property in a pawnbroker or secondhand dealer store. The 30-day holding period is one of the only tools law enforcement has. If auctioneers are the only business exempted, criminals will know where to dispose of their property, and auctioneers will become the unwitting victims.

Witnesses: Joe Daniels, Washington Auctioneers Association (in favor); and Cathy Hornbaker, Pierce County Sheriff (opposed).