

FINAL BILL REPORT

HB 1623

C 169 L 17
Synopsis as Enacted

Brief Description: Concerning secondhand dealers utilizing automated kiosks to purchase secondhand electronic devices.

Sponsors: Representatives Senn, Springer, Tarleton and Slatter.

House Committee on Business & Financial Services
Senate Committee on Commerce, Labor & Sports

Background:

A secondhand dealer, is a person engaged in the business of purchasing, selling, trading, consignment selling, or otherwise transferring for value, secondhand property whether or not the person maintains a fixed place of business within the state.

Secondhand dealers are required to collect and keep business records for three years.

Required information includes:

- the date of the transaction;
- the name or identification number of the employee completing the transaction;
- the identifying number and type of identification used to verify identification of the person selling the secondhand property;
- the name, date of birth, sex, height, weight, race, address, and telephone number of the person selling the secondhand property;
- a description of the secondhand property, including among others, the brand name, model number, and serial number;
- the price secondhand dealer paid for the secondhand property; and
- a signature from the person selling the secondhand property.

Secondhand dealers are also required to store the secondhand property for a minimum of 30 days and, by request, must make the property available to law enforcement officers.

Secondhand dealers with a permanent place of business are required to store the secondhand property on-site. Secondhand dealers without a permanent place of business are required to store the property within the city or county in which the secondhand property was received.

Summary:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Persons or entities operating automated kiosks are added to the definition of a secondhand dealer.

An automated kiosk is defined as a self-serve interactive machine that purchases secondhand electronic goods. During the transaction, the automated kiosk must be able to collect all required information, connect with a live customer service representative that can remotely verify the identity of the person selling the electronic item and compare the electronic item's identifying numbers against a state or federal database of stolen property. The kiosk must be able to securely store the purchased electronic item after acceptance.

A secondhand dealer utilizing an automated kiosk to purchase secondhand property must maintain all required records at its principal place of business. Secondhand property bought through an automated kiosk must be held for at least 30 days after being accepted by the automated kiosk. During this storage period the property may be securely held inside the automated kiosk or at another secure location maintained by the secondhand dealer. By request, the secondhand goods must be made available to law enforcement officers. Any costs associated with transferring the secondhand goods to law enforcement must be paid by the secondhand dealer.

Votes on Final Passage:

House	95	1
Senate	47	0

Effective: July 23, 2017