

2019 Regular Session

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

1 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.~~

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 present law 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 present law 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 present law 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.