

RÉSUMÉ DIGEST

ACT 151 (SB 182)

2023 Regular Session

Connick

Existing law provides for the licensure and regulation of secondhand dealers and scrap metal recyclers.

Prior law provided that any licensed secondhand dealer who violates, neglects, or refuses to comply with any provision of existing law 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.

New law increases the penalties to a fine not more than \$2,500, nor more than \$5,000 or imprisonment for not less than 30 days nor more than 60 days, or both.

Existing law 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.

New law retains present law and increases the penalty for any secondhand dealer who violates, neglects, or refuses to comply with existing law with 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 provides for the revocation of the occupational license.

Prior law provided that anyone acting as an unlicensed secondhand dealer without complying with the provisions of existing law shall be fined not less than \$250 or be imprisoned for not less than 30 days nor more than 60 days, or both.

Prior law provided 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 and provided 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.

New law increases the penalty for anyone acting as an unlicensed secondhand dealer without complying with the provisions of existing law 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.

Prior law provided that any licensed scrap metal recycler who violates, neglects, or refuses to comply with any provision of existing law shall be fined not less than \$1,000, nor more than \$10,000, or be imprisoned for not less than 30 days nor more than 60 days, or both.

New law provides that the penalty shall be a fine of not less than \$2,500, nor more than \$10,000, or imprisonment for not less than 30 days nor more than 60 days, or both.

Prior law provided that anyone acting as an unlicensed scrap metal recycler without complying with the provisions of existing law shall be fined not less than \$1,000, or be imprisoned not less than 30 days, or both.

New law provides that the penalty shall be a the fine of not less than \$2,500, nor more than \$5,000, imprisonment not less than 30 days nor more than 60 days, or both.

Effective August 1, 2023.

(Amends R.S. 37:1869(A) and (B), 1870, 1974(A), and 1975) (A))

