SLS 11RS-179 **<u>REENGROSSED</u>**

Regular Session, 2011

SENATE BILL NO. 130

BY SENATOR DONAHUE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SECONDHAND DEALERS. Provides for the transmission of transactional information by secondhand dealers to law enforcement. (8/15/11)

<div align="center">AN ACT</div>

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2 To amend and reenact R.S. 37:1866(A), relative to secondhand dealers; to provide for means

3   of reporting; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5   Section 1. R.S. 37:1866(A) is hereby amended and reenacted to read as follows:

6   §1866. Daily report of entries

7   A.(1) Every secondhand dealer licensed under the provisions of this Part shall

8   make out and deliver to the chief of police of the city or town or to the sheriff of the

9   parish in which he is doing business, every day before the hour of twelve noon, a

10   legible and correct copy of the entries in the book mentioned in R.S. 37:1864 during

11   the previous day. The means for providing the transactional information required

12   under this Section shall be ~~one of the following:~~

13   ~~(a) By~~ **<u>by</u>** electronic transmission ~~if the secondhand dealer has the means~~

14   ~~available to make transmissions in electronic form.~~

15   ~~(b) By placing in the United States mail.~~

16   ~~(c) By sending a facsimile.~~

17   (2) ~~In the event transactional information is transmitted electronically~~

1   ~~pursuant to Subparagraph (1)(a) of this Subsection, the~~ **The** appropriate law

2   enforcement official may, for purposes of an investigation of a crime relating to a

3   particular secondhand transaction, request the secondhand dealer to mail or fax such

4   official the personally identifiable information relating to such transaction under

5   investigation.   The secondhand dealer shall deliver the personally identifiable

6   information relating to the identified transaction to the appropriate law enforcement

7   official within twenty-four hours of the request. ~~In the event the secondhand dealer~~

8   ~~transfers information in printed form pursuant to Subparagraph (1)(b) or (1)(c) of~~

9   ~~this Subsection, the secondhand dealer shall not also be required to transmit such~~

10   ~~information in electronic form pursuant to Subparagraph (1)(a) of this Subsection.~~

11   *   *   *

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

Donahue (SB 130)

Present law provides that secondhand dealers shall deliver to the chief of police of the city or town or the sheriff of the parish in which he is doing business, a report of transactional information as required by law. The means for providing the transactional information shall be selected by the chief of police or the sheriff and it shall be one of the following:

(1)   By electronic transmission if the secondhand dealer has the means available to make transmissions in electronic form.

(2)   By United States mail.

(3)   By facsimile.

Proposed law requires secondhand dealers to provide transactional information required under present law by electronic transmission.

Present law authorizes law enforcement to request a secondhand dealer mail or fax information if the information had been sent electronically. Proposed law retains present law.

Present law does not require the dealer to electronically transmit information if it had been previously sent in printed form. Proposed law deletes present law.

Effective August 15, 2011.

(Amends R.S. 37:1866(A))

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer
Protection, and International Affairs to the original bill.

1.   Removes all references to pawnbrokers.

2.   Provides that electronic transmission is the sole means of reporting required
information to the police or sheriff.

Senate Floor Amendments to engrossed bill.

1.   Technical amendment to remove reference to information sent in printed
form.