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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3225

- 03/01/2018 Authored by Fenton and Pinto
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform
- 03/15/2018 Adoption of Report: Placed on the General Register
Read for the Second Time
- 04/25/2018 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act
1.2 relating to commerce; regulating wireless communications device dealer payments
1.3 for used devices; amending Minnesota Statutes 2016, section 325E.319, subdivision
1.4 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 325E.319, subdivision 4, is amended to read:

1.7 Subd. 4. **Payment for used wireless communications devices.** (a) A wireless
1.8 communications device dealer shall pay for purchases of all used wireless communications
1.9 devices by check mailed to a specific address or by electronic transfer.

1.10 (b) The purchase price may be paid in cash if the wireless communications device dealer
1.11 uses an automated kiosk that:

1.12 (1) uses a live representative to remotely monitor the automated kiosk during all hours
1.13 of operation;

1.14 (2) in addition to the requirements of subdivision 6, captures and stores in a manner
1.15 consistent with subdivision 6 images of (i) the identification required by this section, and
1.16 (ii) the wireless communications device;

1.17 (3) electronically reports all transactions to law enforcement;

1.18 (4) is located within the physical store of a retailer partner;

1.19 (5) otherwise complies with all requirements of this section; and

1.20 (6) only buys wireless communications devices.

- 2.1 (c) Local law enforcement may require an automated kiosk to close for repairs if for any
2.2 reason the kiosk is unable to comply with the requirements of this section.
- 2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.4 applies to cash transactions under this section made on or after that date.