

July 21, 2015

Members of the California State Senate  
Senate Business, Professions and Economic Development Committee  
State Capital Room 2053  
Sacramento, CA 95814

Subject:        Support for AB1182

Dear Senators:

The Alameda City Council urges your support for AB 1182 (Santiago, Bonta, Cooley and Pan). This is a measure to remove the unnecessary regulatory burden on secondhand dealers created by existing law, while continuing to provide law enforcement with the useful data they need in order to curtail the dissemination of stolen property. Alameda is home to Northern California's largest monthly Antiques Faire. The Antiques Faire not only serves the City of Alameda, but many of its vendors come from all over the State of California. Vendors undergo great scrutiny to register for the Antiques Faire and the event operates with great integrity and civic responsibility.

The existing law requires every secondhand dealer to do all the following steps for any secondhand goods taken in, no matter the type or value of the item, or number of objects.

Secondhand dealer requirements:

- Be licensed by the local Chief of Police or Sheriff;
- Report on a daily basis, "all tangible personal property which he or she purchased, taken in trade, taken in pawn, accepted for sale on consignment, or accepted for auctioning";
- Record the "name and current address of the intended seller or pledger of the property";
- Record "identification of the intended seller or pledger";
- Record "legible fingerprint taken from the intended seller or pledger"; and

- “Retain in his or her possession for a period of 30 days all tangible personal property reported . . .”

This existing law is very broad and imposes all of the above-mentioned regulatory requirements on every secondhand dealer. Violations of the provisions are subject to penalties ranging from \$1,500 and/or two months in county jail to \$25,000 and/or 6 months in county jail, which is severe for even the large dealers of second hand goods.

AB1182 allows the Legislature to refine existing law while still providing law enforcement with the tools needed to protect citizens. AB1182 clarifies that “tangible personal property” means all secondhand tangible personal property which bears a serial number or personalized initials or inscription or which is statistically found, through crime reports to the Attorney General, to constitute a significant class of stolen goods. In addition it will exempt all property that has a value of less than \$950 from required reporting to the electronic database.

We hope that you will support the clean-up legislation which helps second hand vendors continue to accept and sell goods responsibly.

Sincerely,

Trish Herrera Spencer  
Mayor

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