

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1182

**Introduced by Assembly Member Santiago
(Coauthor: Assembly Member Cooley)
(Coauthor: Senator Pan)**

February 27, 2015

An act to amend Section ~~2080~~ 21627 of the Business and Professions Code, relating to ~~healing arts~~ *secondhand goods*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1182, as amended, Santiago. ~~Physicians and surgeons: licensure.~~
Secondhand goods: tangible personal property.

Existing law requires secondhand dealers and coin dealers to, among other things, report certain secondhand tangible personal property taken in trade or pawn, accepted for sale on consignment, or accepted for auctioning, to the chief of police or to the sheriff, as specified. Existing law defines "tangible personal property" for those purposes as including secondhand tangible personal property that bears or bears evidence of having had a serial number or personalized initials and new or used tangible personal property that is received as security for a loan by a pawnbroker or is commonly sold by secondhand dealers and part of a significant class of stolen goods.

This bill would instead specify that "tangible personal property" means secondhand tangible personal property that bears or bears evidence of having had a serial number or personalized initials and new or used tangible personal property that is received as security for a loan by a pawnbroker or is commonly sold by secondhand dealers and part of a significant class of stolen goods.

The Medical Practice Act provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. The act requires an applicant for a physician’s and surgeon’s certificate to comply with general requirements for licensure unless other specific requirements apply to the particular class of applicant.

~~This bill would make nonsubstantive changes to that physician’s and surgeon’s certificate provision.~~

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21627 of the Business and Professions
2 Code is amended to read:

3 21627. (a) As used in this article, “tangible personal property”
4 ~~includes, but is not limited to,~~ means all secondhand tangible
5 personal property which bears a serial number or personalized
6 initials or inscription or which, at the time it is acquired by the
7 secondhand dealer, bears evidence of having had a serial number
8 or personalized initials or inscription.

9 (b) “Tangible personal property” also ~~includes, but is not limited~~
10 ~~to,~~ means the following:

11 (1) All tangible personal property, new or used, including motor
12 vehicles, received in pledge as security for a loan by a pawnbroker.

13 (2) All tangible personal property that bears a serial number or
14 personalized initials or inscription which is purchased by a
15 secondhand dealer or a pawnbroker or which, at the time of such
16 purchase, bears evidence of having had a serial number or
17 personalized initials or inscription.

18 (3) All personal property commonly sold by secondhand dealers
19 which statistically is found through crime reports to the Attorney
20 General to constitute a significant class of stolen goods. A list of
21 such personal property shall be supplied by the Attorney General
22 to all local law enforcement agencies. Such list shall be reviewed
23 periodically by the Attorney General to insure that it addresses
24 current problems with stolen goods.

25 (c) As used in this article, “tangible personal property” does not
26 include any new goods or merchandise purchased from a bona fide
27 manufacturer or distributor or wholesaler of such new goods or
28 merchandise by a secondhand dealer. For the purposes of this

1 article, however, a secondhand dealer shall retain for one year
2 from the date of purchase, and shall make available for inspection
3 by any law enforcement officer, any receipt, invoice, bill of sale
4 or other evidence of purchase of such new goods or merchandise.

5 (d) As used in this article, “tangible personal property” does
6 not include coins, monetized bullion, or commercial grade ingots
7 of gold, silver, or other precious metals. “Commercial grade ingots”
8 means 0.99 fine or finer ingots of gold, silver, palladium, or
9 platinum, or 0.925 fine sterling silver art bars and medallions,
10 provided that the ingots, art bars, and medallions are marked by
11 the refiner or fabricator as to their assay fineness.

12 ~~SECTION 1. Section 2080 of the Business and Professions~~
13 ~~Code is amended to read:~~

14 ~~2080. (a) Except as otherwise provided, the provisions of this~~
15 ~~article applicable to applications generally shall apply to all~~
16 ~~certificates issued.~~

17 ~~(b) An applicant for a physician’s and surgeon’s certificate shall~~
18 ~~comply with this article unless other specific requirements of this~~
19 ~~chapter are applicable to the particular class of applicant.~~