

AMENDED IN ASSEMBLY MAY 5, 2015
AMENDED IN ASSEMBLY APRIL 21, 2015
AMENDED IN ASSEMBLY MARCH 26, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1182

Introduced by Assembly Member Santiago
(Coauthors: Assembly Members Bonta and Cooley)
(Coauthor: Senator Pan)

February 27, 2015

An act to amend Section 21627 of the Business and Professions Code, relating to secondhand goods.

LEGISLATIVE COUNSEL'S DIGEST

AB 1182, as amended, Santiago. 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. Existing law requires the Attorney General to supply to local law enforcement agencies and periodically update a list of that personal property commonly sold by secondhand dealers and part of a significant class of stolen goods.

This bill would require the Attorney General to update that list annually and post the list on his or her Internet Web site. *The bill would allow a county law enforcement agency to use its own list, as described, until the Attorney General provides the first annual updated list.* The 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.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 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 means all secondhand tangible personal property which bears a
 5 serial number or personalized initials or inscription or which, at
 6 the time it is acquired by the secondhand dealer, bears evidence
 7 of having had a serial number or personalized initials or inscription.
 8 (b) “Tangible personal property” also means the following:
 9 (1) All tangible personal property, new or used, including motor
 10 vehicles, received in pledge as security for a loan by a pawnbroker.
 11 (2) All tangible personal property that bears a serial number or
 12 personalized initials or inscription which is purchased by a
 13 secondhand dealer or a pawnbroker or which, at the time of such
 14 purchase, bears evidence of having had a serial number or
 15 personalized initials or inscription.
 16 (3) (A) All personal property commonly sold by secondhand
 17 dealers which statistically is found through crime reports to the
 18 Attorney General to constitute a significant class of stolen goods.
 19 A list of such personal property shall be supplied by the Attorney
 20 General to all local law enforcement agencies and posted on the
 21 Attorney General’s Internet Web site. Such list shall be updated
 22 annually by the Attorney General to insure that it addresses current
 23 problems with stolen goods.
 24 (B) *A county law enforcement agency may use its own list of*
 25 *personal property commonly sold by secondhand dealers which*

1 *statistically is found through crime reports to the county law*
2 *enforcement agency to constitute a significant class of stolen goods*
3 *until the Attorney General provides the first annual update of the*
4 *list of personal property.*

5 (c) As used in this article, “tangible personal property” does not
6 include any new goods or merchandise purchased from a bona fide
7 manufacturer or distributor or wholesaler of such new goods or
8 merchandise by a secondhand dealer. For the purposes of this
9 article, however, a secondhand dealer shall retain for one year
10 from the date of purchase, and shall make available for inspection
11 by any law enforcement officer, any receipt, invoice, bill of sale
12 or other evidence of purchase of such new goods or merchandise.

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