

Regular Session, 2014

HOUSE BILL NO. 469

BY REPRESENTATIVE HARRIS

SECONDHAND DEALERS: Prohibits the payment of cash for the purchase of aluminum-copper air conditioning coils

1 AN ACT

2 To amend and reenact R.S. 37:1864.3(A)(1) and (3) and 1973(A)(1)(introductory paragraph)
3 and (2), relative to used or secondhand property; to prohibit cash payments for
4 aluminum-copper air conditioning coils; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:1864.3(A)(1) and (3) and 1973(A)(1)(introductory paragraph) and
7 (2) are hereby amended and reenacted to read as follows:

8 §1864.3. Payment by check for copper ~~or other metals~~, aluminum-copper air
9 conditioning coils, precious metals, or other metals required; check cashing
10 prohibited; penalties

11 A.(1) A secondhand dealer shall not enter into any cash transactions in
12 payment for the purchase of copper or aluminum-copper air conditioning coils.
13 Payment for copper or aluminum-copper air conditioning coils shall be made in the
14 form of a check made payable to the seller of the ~~metal~~ copper or aluminum-copper
15 air conditioning coils and mailed to the address recorded on the photo identification
16 of the seller no earlier than five business days after the date of the transaction.

17 * * *

18 (3) A secondhand dealer shall not enter into any cash transactions in excess
19 of three hundred dollars in payment for the purchase of metal property other than

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 copper, aluminum-copper air conditioning coils, or a precious metal object.
 2 Payments in excess of three hundred dollars for metals other than copper, aluminum-
 3 copper air conditioning coils, or a precious metal object shall be made in the form
 4 of a check made payable to the name and address of the seller and may be tendered
 5 to the seller at the time of the transaction. The secondhand dealer, at his discretion,
 6 may make payment by either cash or other method for transactions of three hundred
 7 dollars or less for all metals other than copper or aluminum-copper air conditioning
 8 coils, or a precious metal object.

9 * * *

10 §1973. Payment by loadable payment card or check for copper, aluminum-copper
 11 air conditioning coils, or other metals required; check cashing prohibited

12 A.(1) An operator shall not enter into any cash transactions in payment for
 13 the purchase of copper or aluminum-copper air conditioning coils. After five
 14 business days from the date of the transaction, payment for copper or aluminum-
 15 copper air conditioning coils shall be made in the form of a check made payable to
 16 the name and address of the seller of the ~~metal~~ copper or aluminum-copper air
 17 conditioning coils, or a loadable payment card and shall be tendered to the seller in
 18 any of the following manners:

19 * * *

20 (2) An operator shall not enter into any cash transactions in excess of three
 21 hundred dollars in payment for the purchase of metal property other than copper or
 22 aluminum-copper air conditioning coils. Payments in excess of three hundred dollars
 23 for metals other than copper or aluminum-copper air conditioning coils shall be
 24 made in the form of a check made payable to the name and address of the seller or
 25 a loadable payment card and may be tendered to the seller at the time of the
 26 transaction. The operator, at his discretion, may make payment by either cash or
 27 other method for transactions of three hundred dollars or less for all metals other
 28 than copper or aluminum-copper air conditioning coils.

29 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Harris

HB No. 469

Abstract: Prohibits cash transactions by secondhand dealers or operators of scrap metal recycling facilities for the purchase of aluminum-copper air conditioning coils.

Present law prohibits a secondhand dealer from entering into any cash transactions in payment for the purchase of copper. Present law provides that payment for copper shall be made in the form of a check made payable to the copper seller at the address recorded on the seller's photo identification. The check shall be mailed no earlier than five business days after the date of the transaction.

Proposed law adds aluminum-copper air conditioning coils as items to be prohibited as payable by cash transactions. Proposed law further adds aluminum-copper air conditioning coils to the mailing requirement of present law.

Present law prohibits a secondhand dealer from entering into any cash transactions in excess of \$300 for the purchase of metal other than copper or a precious metal object. Proposed law adds aluminum-copper air conditioning coils as items to be excluded with copper and precious metal objects under present law.

Present law further requires that payments in excess of \$300 for metals other than copper or precious metal objects are to be made payable in the form of a check made payable to the name and address of the seller at the time of the transaction.

Proposed law adds aluminum-copper air conditioning coils as items to be excluded with copper and precious metal objects under present law.

Present law authorizes a secondhand dealer to provide payment by either cash or other method for transactions when the payment is less than \$300 for the purchase of metals other than copper. Proposed law adds aluminum-copper air conditioning coils as items to be excluded with copper under present law.

Present law prohibits an operator of a scrap metal recycling facility from entering into any cash payment transactions for the purchase of copper. Present law provides that payments for copper are to be made in the form of a check made payable to the name and address of the copper seller or a loadable payment card after five business days from the date of transaction.

Proposed law adds aluminum-copper air conditioning coils as items to be prohibited as payable by cash transactions. Proposed law further adds aluminum-copper air conditioning coils to the loadable payment card or check payment requirement of present law.

Present law prohibits an operator from entering into any cash transactions in excess of \$300 for the purchase of metal other than copper. Proposed law adds aluminum-copper air conditioning coils as items excluded with copper under present law.

Present law further requires that payments in excess of \$300 for metals other than copper are to be made payable in the form of a check made payable to the name and address of the seller or a loadable payment card may be tendered to the seller at the time of the transaction.

Proposed law adds aluminum-copper air conditioning coils as items to be excluded with copper under present law.

Present law authorizes an operator to provide payment by either cash or other method for transactions when the payment is less than \$300 for the purchase of metals other than copper. Proposed law adds aluminum-copper air conditioning coils as items to be excluded with copper under present law.

(Amends R.S. 37:1864.3(A)(1) and (3) and 1973(A)(1)(intro.para) and (2))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Changed applicability of proposed law from "component parts of heating, ventilation, and air conditioning systems" to "aluminum-copper air conditioning coils".

House Floor Amendments to the engrossed bill.

1. Made technical changes.