

HOUSE BILL No. 2059

By Representative Sloan

1-24

1 AN ACT concerning business and commerce; relating to the operation of
2 second-hand stores.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) It shall be unlawful for any person to sell any item or
6 items to a second-hand store unless such seller presents to the second-
7 hand store, or agent of such second-hand store, a valid state driver's
8 license or nondriver's identification card, military identification card or
9 passport containing such seller's name, address, sex and date of birth.

10 (b) It shall be unlawful for any minor to sell an item or items unless
11 such minor is accompanied by such minor's parent or legal guardian that
12 presents a valid state driver's license or nondriver's identification card,
13 military identification card or passport containing such parent's or legal
14 guardian's name, address, sex, and date of birth.

15 (c) It shall be unlawful for any second-hand store to purchase any item
16 or items without obtaining a seller's, or if the seller is a minor, the seller's
17 parent's or guardian's valid state driver's license or nondriver's
18 identification card, military identification card or passport containing
19 such seller's or parent's or guardian's name, address, sex and date of birth.

20 (d) It shall be unlawful for any second-hand store to fail to maintain a
21 register of all purchasing transactions at the time of receipt of such
22 purchased items. Such register shall include all required information for
23 each such transaction and shall be maintained for a period of five years
24 from the date of such transaction. Such register shall include the
25 following information:

26 (1) The time, date and place of transaction;

27 (2) the seller's, and, if applicable, parent's or legal guardian's name,
28 address, sex and date of birth;

29 (3) a copy of the state driver's license or nondriver's identification
30 card, military identification card or passport; and

31 (4) a general description of the goods received.

32 (e) As used in this act:

33 (1) "Consumer goods" means goods primarily used for personal,
34 family or household purposes;

35 (2) "purchasing transaction" means a transaction in which a second-
36 hand store purchases consumer goods from a seller; and

1 (3) "second-hand store" means any establishment that engages in the
2 business of buying, selling, or dealing in consumer goods that have been
3 previously owned by another. "Second-hand store" includes
4 "pawnbroker" as defined in K.S.A. 16-706, and amendments thereto.

5 (f) Any person violating the provisions of this section shall pay a fine
6 of \$100 and shall pay a fine of \$500 for each subsequent violation.

7 Sec. 2. This act shall take effect and be in force from and after its
8 publication in the statute book.