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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3225

03/01/2018 Authored by Fenton and Pinto
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform
03/15/2018 Adoption of Report: Placed on the General Register
Read for the Second Time

1.1 A bill for an act
1.2 relating to commerce; regulating wireless communications device dealer payments
1.3 for used devices; amending Minnesota Statutes 2016, section 325E.319, subdivision
1.4 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 325E.319, subdivision 4, is amended to read:

1.7 Subd. 4. Payment for used wireless communications devices. (a) A wireless
1.8 communications device dealer shall pay for purchases of all used wireless communications
1.9 devices by check mailed to a specific address or by electronic transfer.

1.10 (b) The purchase price may be paid in cash if the wireless communications device dealer
1.11 uses an automated kiosk that:

1.12 (1) uses a live representative to remotely monitor the automated kiosk during all hours
1.13 of operation;

1.14 (2) verifies a seller's identity in the manner set out in subdivision 2, paragraph (a), clause
1.15 (5);

1.16 (3) secures storage of wireless communications devices accepted by the automated kiosk
1.17 and adheres to the storage and retention requirements pursuant to this section;

1.18 (4) during each transaction captures and stores images in a manner consistent with the
1.19 requirements in subdivision 6 of (i) the seller, (ii) the identification required in this section,
1.20 and (iii) the wireless communications device;

1.21 (5) electronically reports all transactions to law enforcement pursuant to this section;

1.22 (6) has the capability to read and record ESN, IMEI, or MEID; and

2.1 (7) only buys wireless communications devices.

2.2 **EFFECTIVE DATE.** This section is effective the day following final enactment and

2.3 applies to cash transactions under this section made on or after that date.