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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
- 04/25/2018 Calendar for the Day, Amended
- Read Third Time as Amended
- Passed by the House as Amended and transmitted to the Senate to include Floor Amendments
- 05/02/2018 Passed by the Senate and returned to the House
- 05/04/2018 Presented to Governor
- 05/08/2018 Governor Approval

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) in addition to the requirements of subdivision 6, captures and stores in a manner

1.15 consistent with subdivision 6 images of (i) the identification required by this section, and

1.16 (ii) the wireless communications device;

1.17 (3) electronically reports all transactions to law enforcement;

1.18 (4) is located within the physical store of a retailer partner;

1.19 (5) otherwise complies with all requirements of this section; and

1.20 (6) only buys wireless communications devices.

2.1 (c) Local law enforcement may require an automated kiosk to close for repairs if for any  
2.2 reason the kiosk is unable to comply with the requirements of this section.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
2.4 applies to cash transactions under this section made on or after that date.