

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: SB491-ER

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Enrolled

2. Patron: Hurt

3. Committee: Passed Both Houses.

4. Title: Sale of used building fixtures; penalty.

5. Summary: Requires dealers in secondhand building fixtures to retain records of identifying information about the seller or purchaser of such materials and to obtain documentation establishing that the person lawfully possesses any article being sold. Dealers are required to keep the records for five years. If the dealer buys copper gutters, downspouts, or similar copper materials, he is required to hold the articles for not less than 15 days following the date he gives the required notice of the transaction to the chief of police or sheriff. The measure also increases the penalty for a first violation to a Class 3 misdemeanor and for a second or subsequent violation to a Class 1 misdemeanor.

6. Fiscal Impact Estimates: Final.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to the legislation at this time, the legislation could result in an increase in funding to the Literary Fund since the legislation proposes to increase the first offense penalty to a Class 3 misdemeanor (up to a \$500 fine) and a second or subsequent violation to a Class 1 misdemeanor (up to 12 months in jail and up to a \$2,500 fine). Also, it should be noted that although the legislation imposes a Class 1 misdemeanor for a second or subsequent violation, the existing legislation already imposes jail confinement for a period not exceeding 12 months. With the length of time in jail unchanged, the legislation is not expected to have an impact on jail beds.

9. Specific Agency or Political Subdivisions Affected: Law enforcement agencies statewide, local and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 3/22/2010 dpb/John Crooks

Document: G:\2010\FIS\Assigned\Posted\SB491ER.doc