
OLR Bill Analysis

sSB 974

AN ACT CONCERNING AUTOMATED KIOSKS FOR CONSUMER ELECTRONICS.

SUMMARY

This bill establishes requirements for operating an “automatic kiosk for consumer electronics” for consumers to sell or recycle unwanted, used personal electronic devices (§ 1) and correspondingly exempts their operators from the state’s laws on junk yards and dealers, pawnbrokers, secondhand dealers, and recycling facilities and centers (§§ 2-4).

Under the bill, these kiosks are interactive devices that must be located in secure retail spaces. The bill’s requirements include provisions specifically aimed at ensuring that law enforcement agencies and officers have access to devices and data collected during a transaction (e.g., device holding and records retention periods).

EFFECTIVE DATE: October 1, 2023

REQUIREMENTS FOR OPERATING

Under the bill, each automatic kiosk must be operated so that it can do the following:

1. verify each consumer’s identity by remotely examining the consumer’s current, valid, and government-issued photo identification card and comparing the image on it to real-time images of the consumer the kiosk captures;
2. capture and store images of each consumer who recycles or sells a personal electronic device and the respective device;
3. give consumers a cash or electronic payment for each device

- recycled or sold through the kiosk;
4. only purchase devices from people aged 18 or older (it appears “purchase” includes devices accepted for recycling, as consumers recycling devices must still be paid under the bill);
 5. securely store devices at the end of transactions (see below); and
 6. keep transaction data and images for three years and provide them, upon request, to state and local law enforcement agencies and officers.

Holding Period

Under the bill, kiosks (presumably, the operators of them) cannot recycle, sell, or otherwise dispose of a device a consumer sold to the kiosk for at least 15 days after the transaction. (It appears this requirement applies to all collected devices, as consumers must be paid for devices whether they intended to sell or recycle them.)

Under the bill, during the 15-day holding period, law enforcement may ask the kiosk operator to give an electronic device to the law enforcement agency or officer for inspection. The operator must do so during normal business hours and within 10 days of the request.

Access to Transaction Data

During the three-year data and image retention period (see above), if law enforcement requests transaction data or images, the kiosk operator must provide it during normal business hours and within 10 days of the request.

BACKGROUND

Legislative History

The Senate referred the bill (File 115) to the Judiciary Committee, which reported a substitute that eliminates the provision making a violation of the bill’s provisions a class D misdemeanor.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/02/2023)

Judiciary Committee

Joint Favorable Substitute

Yea 36 Nay 0 (04/19/2023)