



NEWS RELEASE

Assemblymember Gloria Bill to Help Small Business, Correct Overregulation of Collectibles Passes

AB 228 by Assemblymember Gloria Approved by Assembly, One Step Closer to Bringing Relief for Small Businesses

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SACRAMENTO, CA – [California State Assemblymember Todd Gloria](#) (D-San Diego) announced today that his bill to correct an unintended overregulation of small businesses who retail autographed memorabilia and collectible merchandise has passed the State Assembly with a vote of 74-0.

“AB 228 makes necessary changes to current law and ensures that the Legislature’s true intent of targeting those industries with a proven history of fraud, specifically in sports and entertainment, is realized,” said Assemblymember Todd Gloria. **“AB 228 reduces burdens on small business, protects consumer privacy, and increases consumer protections for those who purchase autographed collectibles. In short, AB 228 presents an elegant solution to a complex problem.”**

AB 228 amends AB 1570 (Chang) which was signed into law last year and took effect on January 1, 2017. While the intent of AB 1570 was to deter sellers of autographed items from peddling counterfeit merchandise, the law was written so broadly that it adversely impacted small businesses, independent booksellers, and any Californian who possesses a signed item. Further, it subjected these retailers to adopt costly record-keeping mechanisms to document the sale of autographed merchandise.

“Bookstores who have author signings should not face the same regulations as dealers of high-value memorabilia,” said Assemblymember David Chiu (D-San Francisco), a joint author of the bill. **“At a time when more people buy books online, brick-and-mortar bookstores can hardly take another hit.”**

AB 228 rectifies the adverse impacts on small business by making several clarifications, including:

- The definition of a “*collectible*” to mean any autographed item sold or offered in the categories of sports or entertainment related to music, television, or film.
- The definition of a “*dealer*” to mean a person or business who is in the trade of selling collectibles and has sold three or more collectibles in a twelve month period.

In addition, AB 228 requires dealers (as defined above) to provide an express warranty to consumers for financial redress should the sold item be fraudulent. Consumers will also have the right to return collectibles (as defined above) within three days if they believe the item to be inauthentic. This is a tangible and real remedy for consumers to be made whole if concerned about the authenticity of an item.

Lastly, AB 228 protects consumer privacy by requiring dealers to collect and store personal information instead of disclosing it to a third party as required under AB 1570.

AB 228 is sponsored by the Antiquarian Booksellers Association of America. Supporters of AB 228 include Barnes & Noble, the Book Club of California, the Comic Book Legal Defense Fund, the Horror Writers Association, the Independent Online Booksellers Association, the Professional Autograph Dealers Association, and the Universal Autographed Collectors Club.

Assemblymember Gloria represents the 78th Assembly District of California, which includes the Cities of Coronado, Del Mar, Imperial Beach, San Diego, and Solana Beach. He also serves as the Assistant Majority Whip. Assemblymember Gloria's official, high-resolution photo can be downloaded [here](#).

