



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 290		DATE: 4/13/2021	
COMMITTEE: Public Safety			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com		ATTENDANCE: Written	SUBMIT DATE: 4/8/2021 12:51 AM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I am in Support of this Bill. We need to combat Internal and Organized Crime.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written		SUBMIT DATE: 4/13/2021 11:45 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I am in Support of this Bill. Retail Organized Ring Theft Accnts for two (2) Percent that all Consumers of Missouri must pay for in each and every purchase. This Illegal Activity must cease and stop. Signle Retail Theft Accnts for four (4) Percent that All Missouri Consumers pay for in every purchase. Credit-Card Theft is another problem that Missourians pay heavily for.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: DAVID OVERFELT		PHONE NUMBER: 573-636-2524	
BUSINESS/ORGANIZATION NAME: MISSOURI RETAILERS ASSOCIATION		TITLE: PRESIDENT	
ADDRESS: 618 E CAPITOL, P O BOX 1336			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL: dave@moretailers.com	ATTENDANCE: Written	SUBMIT DATE: 4/12/2021 2:32 PM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Submitted on behalf of the Buy Safe America Coalition by MRA April 13, 2021 The Honorable Shane Roden Chairman Missouri House Committee on Public Safety Jefferson City, MO 65102 Dear Chairman Roden: The Buy Safe America Coalition ("Coalition") supports HB 290, the Organized Retail Theft Act, because it is a common-sense, bipartisan solution to a growing consumer safety issue and serious economic threat. It is our hope the Missouri legislature will set an example for other states and Congress to get serious about the threat this issue poses to local businesses and consumers. HB 290 will ensure legitimate businesses and consumers are better protected, requiring simple transparency and accountability of third parties selling goods online. The Coalition consists of a diverse group of responsible retailers, consumer groups, manufacturers, intellectual property advocates and law enforcement officials who support efforts at all levels of government to protect consumers and communities from the sale of counterfeit and stolen goods. The Coalition members include automakers, toy manufacturers, wholesaler - distributors, home improvement, apparel, footwear, power tools, sporting goods, beauty and health, and shopping centers to name a few. The sale of stolen and counterfeit goods represents a serious threat to legitimate businesses in Missouri and poses genuine harm to consumer health and welfare. The problem has grown exponentially in the last year as record number of Americans have turned to online shopping and unregulated third-party sellers operating through online marketplaces like Amazon and Facebook that have grown in size and influence. Criminal networks have taken advantage of the rapid escalation of people buying their goods on marketplaces to peddle counterfeit, stolen, defective, harmful, and dangerous products to unsuspecting consumers. A 2019 Wall Street Journal investigation found 4,152 items for sale on Amazon Inc.'s website that had been declared unsafe by federal agencies, were deceptively labeled or were banned by federal regulators—items that Missouri-based retailers' policies would bar from their shelves or face penalties, fines and potential closure. Among those items, at least 2,000 listings for toys and medications lacked warnings about health risks to children. Consumers are constantly warned to check the validity and source of products purchased through online marketplaces to ensure they are not being duped with stolen or counterfeit items. Yet despite all the evidence and warnings, one thing has not changed – marketplace platforms run by Amazon, Facebook and other tech companies remain fiercely opposed to strong transparency and accountability laws that would empower consumers with information and make it harder for unscrupulous sellers and criminals to profit from these transactions. The problem is widespread, impacting every community and virtually every retail category. For example, an organized retail crime network made headlines nationwide this past year in California when investigators uncovered and seized approximately \$50 million in stolen health and beauty products. There are countless published accounts of faulty and defective infant car seats, strollers, bike helmets, car brake pads, air bags and toys that have injured a child, parent, or family

member. In recent months, government officials have caught scam artists flooding online marketplaces with knockoff personal protective equipment (PPE). U.S. Customs and Border Protection officials in Cincinnati recently seized over 10,000 counterfeit surgical masks that had been illegally smuggled from China. The financial impact has been felt by small, medium, and large businesses. Retailers are projecting that organized retail crime (ORC), which already costs retailers roughly \$30 - \$40 billion per year, will only increase in 2021. According to a January 2020 report by the Department of Homeland Security, the annual cost of counterfeit and pirated goods being sold in the U.S. is over \$500 billion. This is a multi-billion-dollar problem that needs to be addressed. These criminal networks are cheating consumers, hurting legitimate businesses, devaluing American brands, and endangering employees. Unfortunately, Big Tech marketplaces stand in stark contrast to the leading practices of local retailers, who are accountable for the products they sell both off the shelf and on their websites. Missouri retailers verify every product in advance so that there is no trademark or other intellectual property infringement. They weed out disreputable suppliers who violate safety standards or peddle counterfeit products. And if a customer buys a product at a local retail outlet or on a retail website and it is broken or otherwise defective, the consumer knows exactly who to contact. There is accountability. Many online marketplaces allow largely anonymous sellers to peddle almost anything, too often willfully ignorant to whether the transactions they facilitate involve unsafe, stolen, or counterfeit product provenance. The dubious claim that the size and scope of these online marketplaces makes solving this problem too hard, too complicated, or too burdensome is unfounded. Big Tech marketplace platforms employ some of the most sophisticated data scientists and logistics professionals in the world, and it is clear the knowhow exists to identify and crack down on these illegitimate sales. These platforms have their place in an increasingly diverse and digital economy, connecting legitimate sellers—often small businesses—to a large and growing pool of online shoppers. But their growth should not be a golden ticket for criminal rings and unscrupulous hucksters targeting legitimate businesses and innocent consumers. The Coalition, again, thanks you for your commitment to protecting Missouri consumers. We look forward to working with you to pass HB 290 so that we can reverse the alarming trend of illicit goods sold online, and consumers have the protection they need and deserve. Sincerely, Jason Brewer Spokesperson for Buy Safe America Coalition BuySafeAmerica.org CC: Representative Ashley Bland Manlove Representative Andrew McDaniel



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: DAVID OVERFELT		PHONE NUMBER: 573-636-2524	
REPRESENTING: MISSOURI RETAILERS ASSOCIATION		TITLE: PRESIDENT	
ADDRESS: 618 E CAPITOL			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: dave@moretailers.com	ATTENDANCE: Written		SUBMIT DATE: 2/8/2021 5:20 PM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Retailers have been battling Organized Retail Crime for decades. We need the tools to help us and law enforcement to reduce this theft which costs consumers billions. The basic provisions of HB 290 will define the issue and help our industry. The perpetrators often travel through many counties and states. Recently the Best Buy in Jefferson City was targeted and fortunately law enforcement was able to apprehend the suspects that were breaking into Best Buys nationwide. Please give us the tools we need to combat this costly threat.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JACQUELINE BARDGETT		PHONE NUMBER: 573-634-8760	
REPRESENTING: WALGREENS		TITLE:	
ADDRESS: 205 EAST CAPITOL AVENUE, SUITE 100			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/9/2021 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JACQUELINE BARDGETT		PHONE NUMBER: 314-239-9444	
REPRESENTING: WALGREENS		TITLE:	
ADDRESS: 205 EAST CAPITOL AVENUE, SUITE 100			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: jacque@bardgett.net	ATTENDANCE: In-Person		SUBMIT DATE: 4/12/2021 11:50 PM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEFF BROOKS		PHONE NUMBER: 314-941-9235	
REPRESENTING: WALMART		TITLE:	
ADDRESS: 213 EAST CAPITOL AVENUE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/9/2021 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEFF BROOKS		PHONE NUMBER: 314-941-9235	
REPRESENTING: WALMART		TITLE:	
ADDRESS: 213 EAST CAPITOL AVENUE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/13/2021 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: DAVID R. BAIN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: dbain@ls-mo.net	ATTENDANCE: Written		SUBMIT DATE: 4/9/2021 12:03 PM
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Good morning. I am writing to oppose the current version of HB 290, and to explain my reasoning. I am one of many makers of handcrafted goods for sale via online marketplaces. HB 290 requires online marketplaces to collect, verify and publish information about vendors once the vendor's sales reach a certain threshold. Although my online sales to date are well below the reporting threshold, it is not out of the question that they would meet the threshold in the future. (I am always hopeful.) My goods are manufactured in my home workshop; I do not have a physical location outside of my home. Therefore, my business's information is my personal information. The provisions of HB 290 would require online marketplaces to publish my personal information, which is more than sufficient to facilitate identity theft. I cannot and will not allow my personal information to be published in this manner. If HB 290 is passed in it's current form, I will be forced to stop selling my handcrafted art on online marketplaces. I respectfully request that HB 290 be revised in such a manner as to eliminate the requirement that makers of one-of-a-kind handcrafted items are not required to publish their personal information. Thank you for your attention.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: RICHARD DOUGLAS (DOUG) CREWS		PHONE NUMBER: 573-881-5272	
REPRESENTING: LATHROP GPM, MISSOURI PRESS ASSOCIATION		TITLE:	
ADDRESS: 2519 BASSWOOD CT			
CITY: COLUMBIA		STATE: MO	ZIP: 65203
EMAIL: rdcrews@socket.net	ATTENDANCE: Written		SUBMIT DATE: 4/12/2021 2:53 PM

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Mr. Chairman and Members of the Public Safety Committee: The Missouri Press Association is in opposition to House Committee Substitute for House Bill 290. MPA does not oppose the original bill, HB 290, as it was filed. We understand the bill was not designed to target newspapers, but the language in HCS HB 290 could cause unintended consequences for newspapers and their online classified advertising. Newspapers' classified advertisements simply advertise or promote the sale of a product; newspapers do not collect revenue from the purchase of an individual product sale. Newspapers do have some advertising clients that might fit the "high volume sellers" definitions. But newspapers are not in business to collect and report and store securely the kind of business information (bank account information, etc.) that HCS HB 290 requires. Thank you.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: TYLER DIERS		PHONE NUMBER: 630-400-3439	
REPRESENTING: TECHNET		TITLE:	
ADDRESS: P O BOX 9497			
CITY: SPRINGFIELD		STATE: IL	ZIP: 62791
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/13/2021 12:00 AM	
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