



January 27, 2017

The Honorable Todd Gloria
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0078

Dear Mr. Gloria:

The Independent Online Booksellers Association (IOBA) strongly supports your Assembly Bill 228.

IOBA has more than 350 members worldwide, with 54 members in California alone. In addition, some of our members participate in book fairs in California and almost all are involved with selling books to California consumers. As a professional association, we have a strong code of ethics, which requires that our members guarantee the authenticity of whatever they sell.

We are very appreciative of your authorship of legislation to ameliorate the unintended consequences of AB 1570. The broad scope of AB 1570 threatens to undermine the rights, protections, and legitimate commerce of both consumers and businesses, both within and beyond California. Unfortunately, these unintended consequences were not fully understood by the author of AB 1570, who stated that the bill was not intended to apply to booksellers.

Assembly Bill 228's targeted and limited amendments continue the protection of consumers, which was the laudable intent of the AB 1570, but they also mitigate this law's damaging unintended consequences.

Since all of our members are engaged in whole or in part in online sales, we are concerned that the definition of dealer as one who is engaged "principally" in selling or offering collectibles and who holds himself or herself out as having knowledge of collectibles also applies to all dealers included in the final sentence of 4(a): "Dealer" includes a person engaged in a mail order, telephone order, online or cable television business for the sale of collectibles. More and more booksellers with open stores are also using online sales to increase their markets and maintain their profitability.

We thank you for bringing Assembly Bill 228 before the California State Legislature for consideration. We are committed to providing support and assistance to aid your efforts to pass this important legislation. Please do not hesitate to contact us if we can help in any way.

Sincerely,

Christine M. Volk
President, IOBA