

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER RAMACHANDRAN

ADOPT A RESOLUTION IN SUPPORT OF CALIFORNIA STATE SENATE BILL 1144 (SKINNER), THAT WOULD REQUIRE ONLINE MARKETPLACES TO VERIFY PRODUCTS ADVERTISED ON THEIR PLATFORMS BY HIGH-VOLUME THIRD-PARTY SELLERS WERE PRODUCED OR ACQUIRED LAWFULLY, AND IMPOSE DISCLOSURE AND REPORTING REQUIREMENTS ON ONLINE MARKETPLACES RELATED TO HIGH-VOLUME THIRD PARTY SELLERS

WHEREAS, the City of Oakland has seen an uptick in retail theft and crime in recent years, creating challenges on multiple levels for the business community; and

WHEREAS, Governor Gavin Newsom recently announced a legislative framework intended to crack down on professional thieves and combat retail theft and burglaries; and

WHEREAS, purchases on the online marketplace are becoming increasingly common and transparency is needed for consumers to ensure goods are coming from verified high volume sellers; and

WHEREAS, consumers may unaware that they are purchasing resold stolen items from a seller that is involved in organized retail theft and profiting from goods swiped from local stores; and

WHEREAS, SB 301, a bill introduced by Senator Skinner which passed the State Legislature in 2022, required online marketplaces to require high-volume third-party sellers to disclose information to consumers and suspend future sales activity of sellers found to have sold stolen goods; and

WHEREAS, SB 301 failed to include platforms that do not have payment processing, thereby excluding many online sites including OfferUp, Facebook Marketplaces, and others that have become a popular option for “offline transactions” utilizing buyer to seller money transfers; and

WHEREAS, SB 1144 would shut down the market for stolen goods by imposing stricter disclosure and reporting requirements on online marketplaces related to high-volume third-party sellers, including posting a public policy on the prohibition of stolen goods; and

WHEREAS, SB 1144 serves as a pivotal tool to delve into the intricate web of organized crime, by revising the existing definition of online marketplace” to mean any consumer-directed, electronically accessed platform that includes features that allow for and enable third-party sellers to sell, deliver, or ship consumer products; and

WHEREAS, SB 1144 would tighten registration stipulations imposed in SB 301 to ensure sellers comply with legal requirements when selling goods online; and

WHEREAS, SB 1144 would also strengthen the enforcement mechanisms for prosecuting individuals who are found to be selling stolen goods on the online marketplace, allowing local district attorneys, city attorneys, and county counsels to file charges against these individuals; therefore be it

WHEREAS, SB 1144 will be a powerful crime prevention and investigatory tool, reducing the opportunity to easily resell stolen merchandise, therefore discouraging those who would profit from breaking the law, and

RESOLVED: That the City of Oakland supports the passage of SB 1144 in the California State Legislature; and be it

FURTHER RESOLVED: That the City Council directs the City Administrator or his designee to immediately distribute this Resolution upon its adoption to Governor Gavin Newsom and State Senator Nancy Skinner.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California