

HCS SCS SB 1034 & 802 -- SCRAP METAL

This bill changes the laws regarding the sale or theft of scrap metal. In its main provisions, the bill:

(1) Requires purchasers of scrap metal to keep a record of each transaction including a copy of a driver's license or a federally or state-issued photo identification from the seller which contains a current address; the date, time, and place of delivery; and a description and weight of all metals purchased. Scrap metal includes any copper, brass, bronze, aluminum wire, cable, pipe, tubing, bar, ingots, rod, fitting, fastener, or farming material containing copper or aluminum. Records are required to be kept for a minimum of 24 months and must be available for inspection by law enforcement. Any person violating this provision will be guilty of a class A misdemeanor. Transactions not exceeding \$50, transactions between scrap metal dealers and businesses or political subdivisions with a fixed business location, or transactions where the metal is a minor part of a larger item except for equipment used in the generation and transmission of electrical power or telecommunications are exempt from the record-keeping requirement;

(2) Requires scrap metal dealers to make any payment of \$500 or more by check, electronic transfer, or any other method in which a financial institution maintains a record of the transaction unless the seller has an existing business relationship with the scrap metal dealer and the seller is an established business or political subdivision with a fixed location;

(3) Prohibits scrap metal dealers from purchasing metal beer kegs of six gallons or more unless purchasing them from the brewer or its representative. Any person violating this provision will be guilty of a class A misdemeanor punishable only by fine;

(4) Prohibits scrap metal dealers from purchasing items such as cemetery monuments, manhole covers, street signs, bleachers, or guardrails that are identifiable as belonging to a cemetery, monument owner, political subdivision, electric cooperative, or utility. Any person violating this provision will be guilty of a class B misdemeanor; and

(5) Specifies that any person who steals or appropriates any wire, electrical transformer, metallic wire associated with transmitting telecommunications, or any other device or pipe associated with conducting electricity or transporting natural gas or other combustible fuel will be guilty of a class C felony.