

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 102

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KRAUS.

Pre-filed January 3, 2013, and ordered printed.

Read 2nd time January 24, 2013, and referred to the Committee on Commerce, Consumer Protection, Energy and the Environment.

Reported from the Committee February 28, 2013, with recommendation that the bill do pass.

Taken up for Perfection March 4, 2013. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

0572S.01P

AN ACT

To repeal section 407.300, RSMo, and to enact in lieu thereof one new section relating to scrap metal, with existing penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 407.300, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 407.300, to read as follows:

407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap
2 metal, or any secondhand property shall keep a register containing a written or
3 electronic record for each purchase or trade in which each type of metal subject
4 to the provisions of this section is obtained for value. There shall be a separate
5 record for each transaction involving any:

6 (1) Copper, brass, or bronze;

7 (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;

8 [or]

9 **(3) Manhole cover;**

10 **(4) Any wire owned by and marked with the initials or other**
11 **identification of a telecommunications provider, cable provider,**
12 **internet service provider, electric utility, water utility, sewer utility,**
13 **or other public utility;**

14 **[(3)] (5) Material containing copper or aluminum that is knowingly used**
15 **for farming purposes as farming is defined in section 350.010; or**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 **(6) Catalytic converter;**

17 whatever may be the condition or length of such metal. The record shall contain
18 the following data: a copy of the driver's license or photo identification issued by
19 the state or by the United States government or agency thereof to the person from
20 whom the material is obtained, which shall contain a current address of the
21 person from whom the material is obtained, and the date, time, and place of and
22 a full description of each such purchase or trade including the quantity by weight
23 thereof.

24 2. The records required under this section shall be maintained for a
25 minimum of twenty-four months from when such material is obtained and shall
26 be available for inspection by any law enforcement officer.

27 3. Anyone convicted of violating this section shall be guilty of a class A
28 misdemeanor.

29 4. This section shall not apply to any of the following transactions:

30 (1) Any transaction for which the total amount paid for all regulated scrap
31 metal purchased or sold does not exceed fifty dollars, **unless the scrap metal**
32 **is a catalytic converter;**

33 (2) Any transaction for which the seller, including a farm or farmer, has
34 an existing business relationship with the scrap metal dealer and is known to the
35 scrap metal dealer making the purchase to be an established business or political
36 subdivision that operates a business with a fixed location that can be reasonably
37 expected to generate regulated scrap metal and can be reasonably identified as
38 such a business; or

39 (3) Any transaction for which the type of metal subject to subsection 1 of
40 this section is a minor part of a larger item, except for equipment used in the
41 generation and transmission of electrical power or telecommunications.

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