

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 490**  
**94TH GENERAL ASSEMBLY**

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Reported from the Special Committee on Small Business March 15, 2007 with recommendation that House Committee Substitute for House Bill No. 490 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

1168L.04C

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**AN ACT**

To repeal section 407.300, RSMo, and to enact in lieu thereof two new sections relating to the selling and appropriating of wires, with penalty provisions.

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

Section A. Section 407.300, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 407.300 and 570.055, to read as follows:

407.300. 1. [Every collector of or dealer in junk or any secondhand property shall keep a register which shall contain the name and address of the person from whom any copper wire or cable is purchased, whatever may be the condition or length of such copper wire or cable; the residence or place of business and driver's license number of such person; a full description of each purchase including the quantity by weight thereof; and shall permit any peace officer to inspect the register at any reasonable time.] **It shall be unlawful for any scrap metal dealer in this state to pay cash, excluding checks, for copper, aluminum wire, and cable unless records of the information described in this section regarding such item or items of regulated scrap metal is kept for review by law enforcement at any reasonable time. Such information shall include the seller's name, address, and place of business, if any, a description made in accordance with the commodity code standards of the trade of items purchased, the price paid for such item or items, and a copy of the seller's photo driver's license card or another government-issued photo identification card. No purchase shall be made without proper identification. The scrap metal dealer's records, including copies**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 of identification cards, may be kept in an electronic format. Records shall be kept for one  
16 year from the date of purchase.

17 2. Notwithstanding subsection 1 of this section, this section shall not apply to a  
18 transaction for which the total amount paid for regulated scrap metal is fifty dollars or less  
19 or the transaction consists of fifty pounds or less of regulated scrap metal, whichever is  
20 greater; transactions in which the seller is also an established scrap metal dealer that  
21 operates out of a fixed location that can be reasonably identified as such; or transactions  
22 for which the seller has an existing business relationship with the scrap metal dealer and  
23 is known to the purchasing scrap metal dealer to be an established business or political  
24 subdivision that operates out of a fixed location that can reasonably be expected to  
25 generate regulated scrap metal and can be reasonably identified as such.

26 3. Anyone convicted of **knowingly** violating this section shall be [fined not less than  
27 twenty-five dollars nor more than five hundred dollars, or imprisoned for not less than thirty days  
28 nor more than six months, or both] **guilty of a class B misdemeanor.**

29 4. This section shall expire on August 28, 2011.

**570.055.** Any person who steals or appropriates, without consent of the owner, any  
2 energized or live wire, electrical transformer, or any other device that at the time of the  
3 theft is conducting electricity shall be guilty of a class D felony.

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