

HCS SCS SB 1034 & 802 -- METAL THEFT

SPONSOR: Mayer (Kraus)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Utilities by a vote of 8 to 0.

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

- (1) Requires purchasers of scrap metal to keep a record of each transaction including a copy of a federal or state-issued form of identification from the seller, the date and time of delivery, and a description and weight of all metals purchased. Scrap metal includes any aluminum, copper, brass, or bronze wire; cable; pipe; tubing; bar; ingots; rod; fitting; fastener; or farming material. 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 or transactions between scrap metal dealers with fixed business locations 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;
- (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 manhole covers, street signs, bleachers, or guardrails that are reasonably identifiable as belonging to a cemetery, political subdivision, electric cooperative, or utility. These items may be sold only with proof of ownership. Any person violating this provision will be guilty of a class B misdemeanor; and
- (5) Specifies that any person who steals or appropriates wire or other devices that are associated with transmitting telecommunications or conducting electricity will be guilty of a class C felony.

The substitute contains an emergency clause.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Unknown less than \$100,000 in FY 2009, FY 2010, and FY 2011. No impact on Other State Funds in FY 2009, FY 2010, and FY 2011.

PROPONENTS: Supporters say that metal theft creates serious safety hazards by destroying infrastructure and creating electrocution risks. Theft of city property such as street lights and manhole covers can lead to injury.

Testifying for the bill were Senator Mayer; Missouri Chamber of Commerce and Industry; AmerenUE; Empire District Electric Company; Kansas City Power and Light; Association of Missouri Electric Cooperatives; Metropolitan St. Louis Sewer District; Missouri Park and Recreation Association; Missouri Telecommunications Industry Association; CenturyTel; Missouri Agribusiness Association; Missouri Farm Bureau; Missouri Association of Relators; Anheuser-Busch Companies, Incorporated; and Recycle Missouri.

OPPONENTS: There was no opposition voiced to the committee.