

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR

HOUSE BILL NO. 69

101ST GENERAL ASSEMBLY

0079H.03P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 407.300, RSMo, and to enact in lieu thereof one new section relating to keeping records for the sale of metal, with a penalty provision.

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Section A. Section 407.300, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 407.300, to read as follows: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 metal, or any secondhand property shall keep a register containing a written or electronic record for each purchase or trade in which each type of material subject to the provisions of this section is obtained for value. There shall be a separate record for each transaction involving any:

- (1) Copper, brass, or bronze;
- (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;
- (3) Material containing copper or aluminum that is knowingly used for farming purposes as farming is defined in section 350.010; whatever may be the condition or length of such metal;
- (4) Catalytic converter; or
- (5) Motor vehicle, heavy equipment, or tractor battery.

2. The record required by this section shall contain the following data:

- (1) A copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the material is obtained;
- (2) The current address, gender, birth date, and a photograph of the person from whom the material is obtained if not included or are different from the identification required in subdivision (1) of this subsection;
- (3) The date, time, and place of the transaction;

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.

- 18 (4) The license plate number of the vehicle used by the seller during the transaction; **and**
19 (5) A full description of the material, including the weight and purchase price.
- 20 3. The records required under this section shall be maintained for a minimum of
21 twenty-four months from when such material is obtained and shall be available for inspection
22 by any law enforcement officer.
- 23 4. Anyone convicted of violating this section shall be guilty of a class B misdemeanor.
- 24 5. This section shall not apply to ~~any~~ **either** of the following transactions:
- 25 (1) ~~[Any transaction for which the total amount paid for all regulated material purchased~~
26 ~~or sold does not exceed fifty dollars, unless the material is a catalytic converter;~~
- 27 ~~———(2)]~~ Any transaction for which the seller~~[-including a farm or farmer,]~~ has an existing
28 business relationship with the scrap metal dealer and is known to the scrap metal dealer making
29 the purchase to be an established business or political subdivision that operates a business with
30 a fixed location that can be reasonably expected to generate regulated scrap metal and can be
31 reasonably identified as such a business, **and for which the seller is paid by check or by**
32 **electronic funds transfer**; or
- 33 ~~[(3)]~~ (2) Any transaction for which the type of metal subject to subsection 1 of this
34 section is a minor part of a larger item, except for **heating and cooling equipment or** equipment
35 used in the generation and transmission of electrical power or telecommunications.

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