

HCS #2 HB 69 -- RECORDS FOR SALE OF METAL

SPONSOR: Billington

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 11 to 0. Voted "Return to the Committee of Origin" by the Standing Committee on Rules- Administrative Oversight by a vote of 12 to 0. Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 11 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 13 to 0.

The following is a summary of the House Committee Substitute for HB 69.

This bill requires every purchaser or collector of, or dealer in, junk, scrap metal, or any second hand property to require from the seller, for any purchase of copper, either a bill of sale that indicates or an affidavit that attests that the copper being sold was acquired lawfully.

Currently, every purchaser or collector of, or dealer in, junk, scrap metal, or any second hand property is required to maintain written or electronic records for each purchase or trade in which certain types of material are obtained for value, and there are some exceptions to that requirement. This bill repeals the exception to the records requirement for any transaction for which the total amount paid for all regulated material purchased or sold does not exceed \$50, unless the material is a catalytic converter. The bill also specifies that metal that is a minor part of heating and cooling equipment will not be subject to the exception to the law requiring records to be kept for each purchase or trade of the metal.

The bill specifies that a person who pleads or is found guilty of the offense of stealing for appropriating copper will be prohibited from selling copper for 10 years following the date of conviction. A violation of this prohibition is a class B misdemeanor.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that copper theft continues to plague areas across Missouri, and people will go through sheetrock and go through anything to get to the copper and it causes a lot of damage. The bill requires a photo ID to be copied when there is a sale of copper. It is currently only for a transaction of \$50 or

more that it needs to be copied. The issue is that people get around this dollar limit by splitting their sales to stay under \$50. There is currently no way to track small sales and this bill closes that loophole. Tremendous record keeping issues.

Testifying for the bill were Representative Billington; Association of Missouri Electric Cooperatives; Missouri Realtors; Joan E. Libla; Missouri Auto and Truck Recyclers Association; Arnie Dienoff; Missouri Broadband Providers; Missouri Railroad Association; and the Missouri Automobile Dealers Association.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say they would like to work with the sponsor to make sure it actually does what it is intended to do and does not have unintended consequences. For example, it should not be left up to employees to ascertain whether a person was previously convicted of an offense. There needs to be stiffer penalties for those who steal copper. There are changes the sponsor would like to make to the bill.

Testifying on the bill were Advantage Metals Recycler; and Mid America Chapter of the Institute of Recycling Industries.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.