

SCS HCS#2 HB 69 -- CERTAIN METALS

This bill modifies provisions relating to certain metals.

PRECIOUS METALS (Section 407.292, RSMo)

Currently, each item purchased by a buyer of precious metal must be retained in an unaltered condition for five full working days. This bill requires that such metal remain in an unaltered state for a period of 10 days that the buyer is open to the public.

Records of buyer transactions must be made available upon request and must be made available at the location where the transaction occurred. The buyer must not keep law enforcement officials, governmental entities, or any other concerned entities or persons from accessing such records during the buyer's normal business hours.

COPPER PROPERTY (Section 407.297)

This bill prohibits a person from engaging in the business of a copper property peddler, as defined in the bill, in the city of St. Louis without first obtaining a license from the city and complying with the provisions of the bill.

The requirements for the application for a license are specified in the bill. A license must not be granted to any person who has been convicted of burglary, robbery, stealing, theft, or possession or receiving stolen goods in the two years prior to the date of application. Licenses will expire June 30 each year. The city has the power and authority to revoke a copper property peddler's license for any willful violation of the bill.

This provision will be effective only when the city is actively issuing licenses to copper property peddlers.

RECORDS FOR THE SALE OF METAL (Section 407.300)

The bill changes the requirements of maintaining sales records of certain metals from two years to three years. A transaction that includes a detached catalytic converter must occur at the fixed place of business of the purchaser. A detached catalytic converter must be maintained for five business days before it is altered, modified, disassembled, or destroyed.

Anyone licensed for selling motor vehicle parts as set forth in statute who knowingly purchases a stolen detached catalytic converter will be subject to penalties as specified in the bill.

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, with exceptions. 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 records requirement of the bill does not apply to transactions for which the seller has an existing business relationship with the purchaser and for which the seller is paid by check or by electronic funds transfer, or for which the seller produces an acceptable identification, which will be a copy of the driver's license or photo identification issued by the state or by the U.S. government or agency thereof, and a copy is retained by the purchaser.

The bill also specifies that transactions for metal that is a minor part of heating and cooling equipment shall be subject to the records requirement of the bill.

OFFENSE OF STEALING (Section 570.030)

The offense of stealing is a Class E felony if the property is a catalytic converter.