

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 834, Page 26, Line 40, by inserting after said line the following:

"407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property who obtains items for resale or profit shall keep a register containing a written or electronic record for each purchase or ~~[trade in which]~~ trade-in of 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) Detached 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 other photo identification issued by the state or by the United States government or agency thereof, of the person from whom the material is obtained;
- (2) The current address, gender, birth date, and a color 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;
- (4) The license plate number of the vehicle used by the seller during the transaction; ~~[and]~~
- (5) A full description of the material, including the weight and purchase price; and
- (6) If the purchase or trade-in includes a detached catalytic converter:
 - (a) Either proof the seller is a bona fide automobile repair shop or an affidavit that attests the detached catalytic converter was acquired lawfully; and
 - (b) The make, model, year, and vehicle identification number of the vehicle from which the detached catalytic converter originated.

Action Taken _____ Date _____

1 3. (1) The records required under this section shall be maintained in order of transaction
2 date for a minimum of ~~[thirty-six months]~~ four years from when such material is obtained and shall
3 be available for inspection by any law enforcement officer.

4 (2) The department of public safety shall create and make available on the department
5 website a standardized form for recording the records required under this section.

6 (3) At least monthly, a purchaser or collector of, or dealer in, junk, scrap metal, or any
7 secondhand property shall submit to a local law enforcement agency with jurisdiction over the
8 purchaser's, collector's, or dealer's primary place of business the records required under this section
9 on the department of public safety's form, with copies of the purchaser's, collector's, or dealer's other
10 records, if any, attached. The submission may be in either a paper or electronic format. A law
11 enforcement agency may prescribe the format of forms submitted electronically.

12 4. No transaction that includes a detached catalytic converter shall occur at any location
13 other than the fixed place of business of the purchaser or collector of, or dealer in, junk, scrap metal,
14 or any secondhand property. No detached catalytic converter shall be altered, modified,
15 disassembled, or destroyed until it has been in the purchaser's, collector's, or dealer's possession for
16 five business days.

17 5. ~~Anyone [licensed under section 301.218 who knowingly purchases a stolen detached~~
18 ~~catalytic converter shall be subject to the following penalties:~~

19 ~~(1) For a first violation, a fine in the amount of five thousand dollars;~~

20 ~~(2) For a second violation, a fine in the amount of ten thousand dollars; and~~

21 ~~(3) For a third violation, revocation of the]~~ convicted of violating this section shall be guilty
22 of a class B misdemeanor and shall be subject to having any license for a business described under
23 section 301.218 revoked.

24 6. This section shall not apply to ~~[either of]~~ the following transactions:

25 (1) Any transaction for which the seller has an existing business relationship with the scrap
26 metal dealer and is known to the scrap metal dealer making the purchase to be an established
27 business or political subdivision that operates a business with a fixed location that can be reasonably
28 expected to generate regulated scrap metal and can be reasonably identified as such a business, and
29 for which the seller is paid by check or by electronic funds transfer, or the seller produces an
30 acceptable identification, which shall be a copy of the driver's license or photo identification issued
31 by the state or by the United States government or agency thereof, and a copy is retained by the
32 purchaser; or

33 (2) Any transaction for which the type of metal subject to subsection 1 of this section is a
34 minor part of a larger item, except ~~[for]~~ that minor parts of heating and cooling equipment or of
35 equipment used in the generation and transmission of electrical power or telecommunications,
36 including any catalytic converter of such equipment, shall remain subject to this section."; and

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38 Further amend said amendment, Page 59, Lines 3-4, by deleting said lines and inserting in lieu
39 thereof the following:
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1 "(3) For the purpose of depriving the owner of a lawful interest therein, receives, retains or
2 disposes of property of another ~~[knowing]~~ and knows that it has been stolen, ~~[or believing]~~ believes
3 that it has been stolen, or reasonably should suspect that it has been stolen."; and
4

5 Further amend said bill by amending the title, enacting clause, and intersectional references
6 accordingly.
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8 THIS AMENDMENT AMENDS 3494H10.62X.