

House Bill 274

By: Representatives Taylor of the 55th, Ashe of the 56th, Oliver of the 83rd, Long of the 61st, and Benfield of the 85th

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 14 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,
2 relating to secondary metals recyclers, so as to change certain provisions relating to records
3 of transactions relative to secondary metals recyclers; to regulate payments to persons selling
4 copper items to secondary metals recyclers; to repeal conflicting laws; and for other
5 purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Article 14 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to
9 secondary metals recyclers, is amended by revising Code Section 10-1-351, relating to
10 records of transactions relative to secondary metals recyclers, as follows:

11 "10-1-351.

12 (a) A secondary metals recycler shall maintain a legible record of all purchase transactions
13 to which such secondary metals recycler is a party. Such record shall include the following
14 information:

15 (1) The name and address of the secondary metals recycler;

16 (2) The date of the transaction;

17 (3) The weight, quantity, or volume and a description of the type of regulated metal
18 property purchased in a purchase transaction. For purposes of this paragraph, the term
19 'type of regulated metal property' shall include a general physical description, such as
20 wire, tubing, extrusions, or castings;

21 (4) The amount of consideration given in a purchase transaction for the regulated metal
22 property;

23 (5) A signed statement from the person receiving consideration in the purchase
24 transaction stating that he or she is the rightful owner of the regulated metal property or
25 is entitled to sell the regulated metal property being sold;

(6) The name and address A copy of a valid driver's license or other state or federal government issued identification card containing the name, address, and photograph of the person delivering the regulated metal property to the secondary metals recycler and, in addition, a complete set of fingerprints of such person;

(7) The distinctive number from, and type of, the personal identification card of the person delivering the regulated metal property to the secondary metals recycler; and

(8) The vehicle license tag number, state of issue, and the type of vehicle, if available, used to deliver the regulated metal property to the secondary metals recycler. For purposes of this paragraph, the term 'type of vehicle' shall mean an automobile, pickup truck, van, or truck; and

(9) A detailed written description from the person receiving consideration in the purchase transaction describing the source from which he or she obtained the regulated metal property and, if such regulated metal property is a traffic control sign or device, street or road name sign, manhole cover, guardrail, or bleacher seat, a bill of sale or other written authorization for possession of such property from the entity from which such person obtained the regulated metal property.

(b) A secondary metals recycler shall maintain or cause to be maintained the information required by subsection (a) of this Code section for not less than two years from the date of the purchase transaction."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"10-1-352.1.

No secondary metals recycler shall pay cash for any regulated metal property that is primarily copper. Payment for such type of property shall be issued by check only. Any such check shall be payable and transmitted only by mail to the person named and address listed pursuant to paragraph (6) of subsection (a) of Code Section 10-1-351; provided, however, that any check shall be withheld during any hold period or extended hold period made effective pursuant to Code Section 10-1-353."

SECTION 3.

55 All laws and parts of laws in conflict with this Act are repealed.