

ADOPTED

Senators Ginn of the 47th, Unterman of the 45th, Shafer of the 48th, Butler of the 55th, Hooks of the 14th and others offered the following amendment:

1 *Amend the Senate Regulated Industries and Utilities Committee substitute to SB 321 by*
 2 *striking line 93 and inserting in lieu thereof the following:*

3 metal property and a copy of the check or voucher or documentation evidencing the
 4 electronic funds transfer given as consideration for such purchase transaction;

5 *By striking lines 147 through 175 and inserting in lieu thereof the following:*

6 ~~(a) As used in this Code section, the terms:~~

7 ~~(1) 'Aluminum property' means aluminum forms designed to shape concrete.~~

8 ~~(2) 'Copper property' means any copper wire, copper tubing, copper pipe, or any item~~
 9 ~~composed completely of copper.~~

10 ~~(b) A secondary metals recycler may pay by check or by cash for any copper property,~~
 11 ~~catalytic converter, or aluminum property as follows:~~

12 ~~(1) Cash payments shall occur no earlier than 24 hours after the copper property,~~
 13 ~~catalytic converter, or aluminum property is provided to the secondary metals recycler;~~
 14 ~~and~~

15 ~~(2) Checks shall be payable only to the person named who was recorded as delivering~~
 16 ~~the copper property, catalytic converter, or aluminum property to the secondary metals~~
 17 ~~recycler; provided, however, that if such person is delivering the copper property,~~
 18 ~~catalytic converter, or aluminum property on behalf of a governmental entity or a~~
 19 ~~nonprofit or for profit business, the check may be payable to such business or entity and~~
 20 ~~may also be transmitted to such business or entity.~~

21 ~~(c) The provisions of this Code section shall not apply to any transaction between business~~
 22 ~~entities.~~

23 (a) A secondary metals recycler shall pay only by check, voucher, or electronic funds
 24 transfer for regulated metal property.

25 (b) If the seller of the regulated metal property is an employee or authorized agent of a
 26 business as evidenced by a copy of a valid business license and a letter from the owner or
 27 operator of the business expressly recognizing the seller as an employee or authorized
 28 agent, then payment for the regulated metal property shall be made only by check or
 29 electronic funds transfer made payable to the business and mailed to or electronically
 30 transferred using the address of such business entity 14 days immediately following the
 31 sale.

32 (c)(1) If the seller of the regulated metal property is not an employee or authorized agent
33 of a business or elects to be paid in his or her name, the payment for the regulated metal
34 property shall be by check, electronic funds transfer, or voucher, at the option of the
35 seller.

36 (2) If the seller elects payment by check or electronic funds transfer pursuant to
37 paragraph (1) of this subsection, the check or electronic funds transfer shall be made
38 payable only to the natural person who was recorded as the seller of the regulated metal
39 property to the secondary metals recycler and mailed to or electronically transferred using
40 the address indicated on the personal identification card of the seller presented at the time
41 of such sale 14 days immediately following the sale.

42 (3) If the seller elects payment by voucher pursuant to paragraph (1) of this subsection,
43 the secondary metals recycler shall mail the seller a voucher for the amount of regulated
44 metal property purchased 14 days immediately following the sale. Such voucher shall
45 made payable only to the natural person who was recorded as the seller of the regulated
46 metal property to the secondary metals recycler and mailed to the address indicated on
47 the personal identification card of the seller presented at the time of such sale. The
48 voucher shall include the date of purchase, name of the seller, the amount paid for the
49 regulated metal property, a detailed description of the regulated metal property
50 purchased, and the date on which the voucher expires. The voucher may only be
51 redeemed for cash by the person whose name appears on the voucher as the seller or by
52 such person's heirs or legal representative. If a voucher is not redeemed by the person
53 whose name appears on the voucher as the seller or by such person's heirs or legal
54 representative within six months of the date of the transaction, the voucher shall expire
55 and the secondary metals recycler shall not be required to honor the voucher after the
56 expiration date.