

2020 Regular Session

HOUSE BILL NO. 323

BY REPRESENTATIVE ECHOLS

SECONDHAND DEALERS: Requires scrap metal recyclers to follow certain guidelines when purchasing and processing certain items

1 AN ACT

2 To amend and reenact R.S. 37:1967(A)(5) and to enact R.S. 37:1973.1, relative to scrap  
3 metal recyclers; to require identifying numbers be recorded; to implement a  
4 mandatory holding period for certain items; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:1967(A)(5) is hereby amended and reenacted and R.S. 37:1973.1  
7 is hereby enacted to read as follows:

8 §1967. Record of scrap metal purchased required; exceptions; retention period;  
9 inspections by law enforcement; violations; penalty

10 A. Every operator shall either keep a register and file reports or  
11 electronically maintain data and be capable of readily providing reports, as specified  
12 in Subsection B of this Section, in the form prescribed by the Department of Public  
13 Safety and Corrections which shall contain the following information:

14 \* \* \*

15 (5) A full description of all ~~such~~ material purchased, including the weight of  
16 the material, any identification or serial numbers, and whether it consists of bars,  
17 kegs, cable, ingots, rods, tubing wire, wire scraps, clamps, connectors, or other  
18 appurtenances or some combination thereof.

19 \* \* \*

- 1           §1973.1 Required holding period for whole and functional items
- 2                   A. An operator shall hold items that are whole and functional, at the time of
- 3           purchase, for a period of forty-eight hours from the time of purchase, before
- 4           processing, recycling, selling, trading, or otherwise disposing of those items.
- 5                   B. The provisions of Subsection A of this Section shall include, but not be
- 6           limited to:
- 7                   (1) Aluminum pipe.
- 8                   (2) Boats.
- 9                   (3) Trailers.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 323 Original

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Echols

**Abstract:** Requires scrap metal recyclers to hold whole and functional items for a period of forty-eight hours from the time the items are purchased.

Present law requires scrap metal recyclers to maintain a record of items purchased.

Proposed law retains present law.

Present law requires scrap metal recyclers to include in the record a full description of all materials purchased, including the weight of the material, and whether it consists of certain materials.

Proposed law retains present law and also requires the scrap metal recyclers to include any identification or serial numbers in the description of the material.

Proposed law prevents scrap metal recyclers from processing, recycling, selling, trading or otherwise disposing of whole and functional items for 48 hours after they are purchased.

(Amends R.S. 37:1967(A)(5); Adds R.S. 37:1973.1)