

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 583
Commerce Committee Substitute Adopted 5/14/13

Short Title: Metal Theft Statute Amendments.

(Public)

Sponsors:

Referred to:

April 4, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS AMENDMENTS TO THE STATUTES THAT REGULATE
3 SECONDARY METALS RECYCLERS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 66-420 reads as rewritten:

6 "**§ 66-420. Definitions.**

7 The following definitions apply in this Part:

- 8 (1) Cash card system. — A system of payment ~~that captures a photograph of a~~
9 ~~payment recipient and~~ that provides payment in cash or in a form other than
10 ~~cash.~~ cash and that when providing payment in the form of cash (i) captures
11 a photograph of the seller at the time payment is received and (ii) uses an
12 automated cash dispenser, including, but not limited to, an automated teller
13 machine.
- 14 (1a) Copper. — Nonferrous metals, including, but not limited to, copper wire,
15 copper clad steel wire, copper pipe, copper bars, copper sheeting, copper
16 tubing and pipe fittings, and insulated copper wire. The term shall not
17 include brass alloys, bronze alloys, lead, nickel, zinc, or items not containing
18 a significant quantity of copper.
- 19 (2) Fixed site. — A site occupied by a secondary metals recycler as the owner of
20 the site or as a lessee of the site under a lease or other rental agreement
21 providing for occupation of the site by a nonferrous metals purchaser for a
22 total duration of not less than 364 days.
- 23 (3) Law enforcement officer. — Any duly constituted law enforcement officer
24 of the State or of any municipality or county.
- 25 (4) Nonferrous metals. — Metals not containing significant quantities of iron or
26 steel, including, but not limited to, ~~copper, copper wire, copper clad steel~~
27 ~~wire, copper pipe, copper bars, copper sheeting,~~ aluminum other than
28 aluminum cans, a product that is a mixture of aluminum and copper,
29 catalytic converters, lead-acid batteries, and stainless steel beer kegs or
30 containers. The term shall not include precious metals as defined and
31 regulated in Part 2 of this Article.
- 32 (5) Nonferrous metals purchaser. — A secondary metals recycler who
33 purchases, gathers, or obtains nonferrous metals.
- 34 (6) Permit. — A permit issued pursuant to G.S. 66-426(a).
- 35 (7) Regulated metals property. — All ferrous and nonferrous metals.
- 36 (8) Secondary metals recycler. — Any person, firm, or corporation in the State:



- 1 a. That is engaged in the business of gathering or obtaining ferrous or
2 nonferrous metals that have served their original economic purpose
3 or is in the business of performing the manufacturing process by
4 which ferrous metals or nonferrous metals are converted into raw
5 material products consisting of prepared grades and having an
6 existing or potential economic value; or
7 b. That has facilities for performing the manufacturing process by
8 which ferrous metals or nonferrous metals are converted into raw
9 material products consisting of prepared grades and having an
10 existing or potential economic value, by methods including, but not
11 limited to, the processing, sorting, cutting, classifying, cleaning,
12 baling, wrapping, shredding, shearing, or changing the physical form
13 or chemical content of the metals, but not including the exclusive use
14 of hand tools."

15 **SECTION 2.** This act is effective when it becomes law.