
A BILL FOR AN ACT

RELATING TO METAL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 445-231, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Stainless steel beer keg" means a metal container
5 stamped, engraved, stenciled, or otherwise marked as the
6 property of a brewery manufacturer, including one on which the
7 markings have been made illegible; provided that a deposit
8 beverage container, as defined under section 342G-101, shall not
9 be considered a stainless steel beer keg."

10 SECTION 2. Section 445-233, Hawaii Revised Statutes, is
11 amended as follows:

12 1. By amending subsection (b) to read:

13 "(b) If the scrap presented for purchase is copper, or a
14 stainless steel beer keg, in whole or in part, the seller shall
15 provide a copy of a receipt that describes, with particularity:

16 (1) The exact item that is being offered for sale;

17 (2) Who issued the receipt;



1 (3) The date of sale of the item prior to the item's being
2 offered to the scrap dealer; and

3 (4) The price, if any, of the item when obtained by the
4 seller."

5 2. By amending subsections (d), (e), and (f) to read:

6 "(d) If the seller does not provide a copy of the receipt
7 or the notarized declaration as required by subsections (b) and
8 (c), the scrap dealer shall not purchase the copper, or
9 stainless steel beer keg, in whole or in part, and shall report
10 the attempted sale to the police.

11 (e) If the scrap dealer purchases any copper, or stainless
12 steel beer keg, in whole or in part, the scrap dealer shall take
13 a photograph or photographs of all of the copper or stainless
14 steel beer keg offered for sale.

15 (f) The scrap dealer shall also require the seller to
16 verify the seller's identity by presenting a valid photo
17 identification card or license issued by a federal or state
18 government agency authorized to issue [~~such~~] valid
19 identification. If the scrap being offered for sale is copper,
20 or a stainless steel beer keg, in whole or in part, the scrap
21 dealer shall:

22 (1) Take a photograph of the seller; or



1 (2) Make a photocopy of the identification card or license
2 of the seller."

3 SECTION 3. Section 708-835.7, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~[+]§708-835.7[+]~~ Theft of copper[-] or stainless steel
6 beer keg. (1) A person commits the offense of theft of copper
7 if the person commits theft of copper that weighs a pound or
8 more, but not including legal tender of the United States.

9 (2) A person commits the offense of theft of a stainless
10 steel beer keg if the person commits theft of a stainless steel
11 beer keg that weighs a pound or more.

12 (3) For purposes of this section, "stainless steel beer
13 keg" shall have the same meaning as defined under section 445-
14 231.

15 [~~+2~~](4) Theft of copper or a stainless steel beer keg is
16 a class C felony."

17 SECTION 4. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun, before its effective date.

20 SECTION 5. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect on July 1, 2008, and
2 shall be repealed on July 1, 2009; provided that sections
3 445-231 and 445-233, Hawaii Revised Statutes, shall be reenacted
4 in the form in which those sections read on the day before the
5 effective date of Act 197, Session Laws of Hawaii 2007.



S.B. NO. 2782
S.D. 2
H.D. 1

Report Title:

Scrap Metal; Theft

Description:

Includes stainless steel beer kegs in laws intended to prevent theft and resale of copper. Sunsets July 1, 2009. (SB2782 HD1)

SB2782 HD1 HMS 2008-2921

