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## A BILL FOR AN ACT

RELATING TO COPPER REDEMPTION.

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

1           SECTION 1: Section 445-233, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§445-233 Statement required. (a) Every scrap dealer,  
4 when the dealer purchases scrap within the State, shall obtain a  
5 written statement signed by the seller certifying that the  
6 seller has the lawful right to sell and dispose of the scrap.  
7 This statement shall also contain the seller's name; the  
8 seller's business or residence address; the seller's occupation;  
9 a description, including serial numbers and other identifying  
10 marks, when practical, of every scrap; the amount received by  
11 the seller; the date, time, and place of the sale; and the  
12 license number of any vehicle used to deliver the property to  
13 the place of purchase.

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

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

18           (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 (c) If a receipt is not available, the seller shall  
6 provide to the scrap dealer a notarized declaration, describing  
7 with particularity:

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

9 (2) Who sold or otherwise transferred the item to the  
10 seller;

11 (3) The date of sale of the item; and

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

14 (d) If the seller does not provide a copy of the receipt  
15 or the notarized declaration as required by subsections (b) and  
16 (c), the scrap dealer shall not purchase the copper, or beer  
17 keg, in whole or in part, and shall report the attempted sale to  
18 the police.

19 (e) If the scrap dealer purchases any copper or beer keg,  
20 in whole or in part, the scrap dealer shall take a photograph or  
21 photographs of all of the copper or any beer keg offered for  
22 sale.



1 (f) The scrap dealer shall also require the seller to  
2 verify the seller's identity by presenting a valid photo  
3 identification card or license issued by a federal or state  
4 government agency authorized to issue valid identification. If  
5 the scrap being offered for sale is copper, or a beer keg, in  
6 whole or in part, the scrap dealer shall:

- 7 (1) Take a photograph of the seller; or
- 8 (2) Make a photocopy of the identification card or license  
9 of the seller.

10 (g) If the scrap presented is copper, in whole or in part,  
11 the dealer shall require the seller to present a valid  
12 contractor's license under chapter 444. The scrap dealer shall  
13 make a photocopy of the contractor's license. If the seller  
14 does not provide a valid contractor's license under chapter 444,  
15 the scrap dealer shall not purchase the copper, in whole or in  
16 part, and shall report the attempted sale to the police.

17 [~~g~~] (h) The scrap dealer shall keep at the dealer's  
18 place of business the signed written statement, the receipt or  
19 notarized declaration required by subsections (b) and (c), the  
20 photographs required by subsection (e), [~~and~~] the photocopy of  
21 the identification card or license and photograph of the seller  
22 required by subsection (f), and the photocopy of the



1 contractor's license under subsection (g), if applicable, from  
 2 the seller for a period of two years after the date of purchase  
 3 and the statement, the receipt or notarized declaration required  
 4 by subsections (b) and (c), the photographs required by  
 5 subsection (e), [~~and~~] the photocopy and photograph required by  
 6 subsection (f), and the photocopy of the contractor's license  
 7 under subsection (g), if applicable, may be examined at any time  
 8 by the treasurer, the chief of police, the attorney general, the  
 9 prosecuting attorney, or their designees.


10 [~~(h)~~] (i) Public utilities, as defined in section 269-1,  
 11 shall be exempt from the requirements of subsections (b), [~~and~~]  
 12 (c) [~~-~~], and (g). When the seller is a public utility, the scrap  
 13 dealer shall not be required to obtain the statement required by  
 14 subsection (a), and the scrap dealer shall not be prohibited by  
 15 subsection (d) from purchasing the copper from the public  
 16 utility."

17 SECTION 2. Statutory material to be repealed is bracketed  
 18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2012.

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INTRODUCED BY: Manly B. Lee  
Paul Rhoads  
[Signature]

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# H.B. NO. 2107

**Report Title:**

Scrap Metal Dealers, Copper Redemption, Licensed Contractors,  
Copper Theft

**Description:**

Requires that scrap metal dealers only purchase copper from  
licensed contractors.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

