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**Testimony to the House Committee on Judiciary
In Support of HB2349
February 10, 2025**

Chair Humphries and Committee Members:

Our associations are in support of HB2349 relating to the Scrap Metal Act. Most scrap metal dealers are responsible business operators who follow the Act. However, we occasionally find bad actors who accept scrap items in violation of the Act. Our local officers are on the scene when these violations are discovered, but current law forbids us to investigate further or to take any action related to the violation. [Page 1, lines 12-14 and line 20]

The bill provides authority for law enforcement officers to investigate violations of the Act. [Page 1, line 11, and lines 25-31] Any related investigative reports or prosecutions for local laws must be submitted to the Attorney General.

Law enforcement officers across the state are the ones investigating crimes that take us to the regulated scrap yards. The purpose of this bill is to enhance the efficiency of investigating potential violations of the Act that we discover during our criminal investigations.

The bill also creates low level crimes (A or B misdemeanors) for those violations. [Page 3, lines 4-16] Only certain violations of KSA 50-6,110 and 50-6,111 and any violation of 50-6,112 would have the proposed criminal violations. All other violations of the Act remain civil violations. [Page 3, line 40 through page 4, line 23] The bill allows local governing bodies to create equivalent laws for violations and prosecute criminal violations in local courts under those local laws. [Page 4, lines 18-27]

This process is very similar to what we find in Alcohol Beverage Control statutes.

We encourage you to move HB2349 forward favorably.

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