

SESSION OF 2018

SUPPLEMENTAL NOTE ON SENATE BILL NO. 429

As Amended by Senate Committee of the Whole

Brief*

SB 429, as amended, would delay or make unenforceable certain provisions of the Scrap Metal Theft Reduction Act (Act) until January 1, 2020. The following provisions would be delayed by the bill:

- A requirement the Attorney General establish a central database for the Act and certain actions required of scrap metal dealers related to registering for the database;
- The ability for the Attorney General, upon a finding that a scrap metal dealer has violated any provision of the Act, to impose a civil penalty not less than \$100 nor more than \$5,000;
- The requirements that a scrap metal dealer obtain a copy of an identification card of a seller of scrap metal and a photograph of the item or items being sold; and
- A prohibition on certain actions related to purchasing and disposing of scrap metal.

Current law delays these provisions until January 1, 2019.

The bill would require the Attorney General to report to the Senate President, Speaker of the House, and standing

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

judiciary committees on or before February 1, 2019, on the progress achieved in establishing the required database.

Background

The bill was introduced by the Senate Committee on Assessment and Taxation. At the Senate Committee hearing, testimony in support of the bill was provided by a scrap metal dealer. Written-only testimony in support of the bill was provided by a representative of Advantage Metals Recycling.

Neutral testimony was provided by a representative of the Kansas Elective Cooperatives, also representing various other utility companies. Written-only neutral testimony was provided by representatives of the Attorney General, Kansas Grain and Feed Association, and other agricultural organizations.

No opponent testimony was provided.

The Senate Committee of the Whole on March 27 amended the bill to add the provision requiring the Attorney General to report by February 1, 2019, on the status of the required database.

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Office of the Attorney General estimates enactment of the bill would result in a reduction of revenue to the Scrap Metal Theft Reduction Fund by \$42,000 in FY 2019 as a result of delayed registrations. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.