

## Session 118 - (2009-2010)

**S\*0184 (Rat #0059, Act #0026 of 2009) General Bill, By McConnell and Ford**

**Similar (H 3153)**

**Summary:** Junk dealer

AN ACT TO AMEND SECTION 16-11-523, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CAUSING INJURY TO REAL PROPERTY FOR THE PURPOSE OF OBTAINING NONFERROUS METALS, SO AS TO REVISE THE DEFINITION OF "NONFERROUS METALS" TO INCLUDE THE TERM "COPPER CLAD STEEL WIRE" AND "CATALYTIC CONVERTERS", TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO CAUSING INJURY TO PERSONAL PROPERTY FOR THE PURPOSE OF OBTAINING NONFERROUS METALS, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 16-17-680, AS AMENDED, RELATING TO THE UNLAWFUL PURCHASE OF NONFERROUS METALS, SO AS TO REVISE THE DEFINITION OF THE TERM "NONFERROUS METALS" TO INCLUDE "COPPER CLAD STEEL WIRE" AND "CATALYTIC CONVERTERS"; BY ADDING SECTION 16-17-685 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TRANSPORT OR HAVE IN HIS POSSESSION CERTAIN QUANTITIES OF NONFERROUS METALS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS PROVISION; TO AMEND SECTION 40-27-10, RELATING TO A PERSON WHO BUYS JUNK, SO AS TO PROVIDE THAT A PERSON WHO BUYS JUNK THAT CONSISTS OF NONFERROUS METALS MUST COMPLY WITH THE PROVISIONS CONTAINED IN SECTION 16-17-680; TO REPEAL SECTION 40-27-30 RELATING TO THE PURCHASE OF JUNK OUTSIDE OF THE COUNTY IN WHICH THE PLACE OF BUSINESS OF ITS BUYER IS LOCATED; TO AMEND SECTION 40-27-40, RELATING TO PENALTIES ASSOCIATED WITH THE UNLAWFUL PURCHASE OF JUNK, SO AS TO INCREASE THE PENALTY AND PROVIDE THAT EACH VIOLATION OF THE PROVISIONS RELATING TO THE UNLAWFUL PURCHASE OF JUNK CONSTITUTES A SEPARATE OFFENSE; TO AMEND SECTION 56-5-5670, RELATING TO THE DUTIES OF A DEMOLISHER WHO ACQUIRES A VEHICLE FOR THE PURPOSE OF WRECKING, DISMANTLING, OR DEMOLITION, SO AS TO PROVIDE THAT A DEMOLISHER WHO ACQUIRES NONFERROUS METALS IS SUBJECT TO THE PROVISIONS CONTAINED IN SECTION 16-17-680, TO PROVIDE THAT A DEMOLISHER MUST KEEP RECORDS OF ALL VEHICLE PARTS THAT WEIGH MORE THAN TWENTY-FIVE POUNDS, TO REVISE THE TYPE OF INFORMATION THAT MUST BE RECORDED REGARDING THE SELLER OF VEHICLES AND VEHICLES PURCHASED BY A DEMOLISHER, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 56-5-5850, RELATING TO THE PLACEMENT OF A COLORED TAG ON AN UNATTENDED VEHICLE AS NOTICE THAT THE VEHICLE IS SUBJECT TO FORFEITURE TO THE STATE, SO AS TO PROVIDE THAT A VEHICLE THAT HAS AT LEAST TWO COLORED TAGS PREVIOUSLY PLACED ON IT IS AN ABANDONED VEHICLE AND MAY BE REMOVED BY A LAW ENFORCEMENT AGENCY AND SOLD; TO AMEND SECTION 56-5-5945, RELATING TO THE DUTIES OF A DEMOLISHER WHO ACQUIRES A VEHICLE FOR THE PURPOSE OF WRECKING, DISMANTLING, OR DEMOLITION, SO AS TO PROVIDE THAT A DEMOLISHER WHO ACQUIRES NONFERROUS METAL IS SUBJECT TO THE PROVISIONS CONTAINED IN SECTION 16-17-680, TO PROVIDE THAT A DEMOLISHER MUST KEEP RECORDS OF ALL VEHICLE PARTS THAT WEIGH MORE THAN TWENTY-FIVE POUNDS, TO REVISE THE TYPE OF INFORMATION THAT MUST BE RECORDED REGARDING THE SELLER OF VEHICLES AND VEHICLE PARTS PURCHASED BY A DEMOLISHER, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 57-27-20, RELATING TO DEFINITION OF TERMS CONTAINED IN THE JUNKYARD CONTROL ACT, SO AS TO REVISE THE DEFINITION OF THE TERM "JUNK"; AND BY ADDING SECTION 57-27-57 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A JUNKYARD OWNER TO ALLOW MOTOR VEHICLES TO BE PARKED ON A HIGHWAY ADJACENT TO ITS PROPERTY. - ratified title

<b>12/17/08</b>	<b>Senate</b>	<b>Prefiled</b>
<b>12/17/08</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary</b>
<b>01/13/09</b>	<b>Senate</b>	<b>Introduced and read first time SJ-155</b>
<b>01/13/09</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary SJ-155</b>
<b>01/23/09</b>	<b>Senate</b>	<b>Referred to Subcommittee: Knotts (ch), Massey, Coleman</b>
<b>02/04/09</b>	<b>Senate</b>	<b>Committee report: Favorable with amendment Judiciary SJ-4</b>
<b>02/05/09</b>		<b>Scrivener's error corrected</b>
<b>02/10/09</b>	<b>Senate</b>	<b>Committee Amendment Adopted SJ-24</b>
<b>02/11/09</b>		<b>Scrivener's error corrected</b>
<b>02/11/09</b>	<b>Senate</b>	<b>Amended SJ-37</b>
<b>02/12/09</b>		<b>Scrivener's error corrected</b>
<b>02/12/09</b>		<b>Scrivener's error corrected</b>
<b>02/17/09</b>	<b>Senate</b>	<b>Amended SJ-10</b>

02/18/09	Senate	Amended SJ-12
02/18/09	Senate	Read second time SJ-12
02/24/09	Senate	Read third time and sent to House SJ-12
02/25/09	House	Introduced and read first time HJ-8
02/25/09	House	Referred to Committee on Labor, Commerce and Industry HJ-9
04/22/09	House	Committee report: Favorable with amendment Labor, Commerce and Industry HJ-1
04/28/09	House	Amended HJ-14
04/28/09	House	Debate adjourned until Wednesday, April 29, 2009 HJ-21
04/28/09		Scrivener's error corrected
04/29/09	House	Requests for debate-Rep(s). Kennedy, Rutherford, Hart, Harvin, Cobb-Hunter, Hosey, Crawford, Lowe, Daning, Long, JH Neal, Hardwick, Edge, Jefferson, R Brown, Brantley, and King HJ-26
04/30/09	House	Debate adjourned until Tuesday, May 12, 2009 HJ-87
05/12/09	House	Amended HJ-47
05/12/09	House	Read second time HJ-49
05/12/09	House	Roll call Yeas-111 Nays-0 HJ-49
05/13/09	House	Read third time and returned to Senate with amendments HJ-50
05/13/09	Senate	House amendment amended SJ-74
05/13/09	Senate	Returned to House with amendments SJ-74
05/14/09		Scrivener's error corrected
05/20/09	House	Concurred in Senate amendment and enrolled HJ-38
05/20/09	House	Roll call Yeas-103 Nays-0 HJ-40
05/27/09		Ratified R 59
06/02/09		Signed By Governor
06/11/09		Effective date 06/02/09
06/12/09		Act No. 26