

## Session 119 - (2011-2012)

**H\*3660 (Rat #0102, Act #0068 of 2011) General Bill, By Ott, Bales, McLeod, Brantley, Battle, Whipper, G.A. Brown, Parker, Anderson, J.M. Neal, Hodges, Bowers, Hosey, Alexander, Branham, Funderburk, Harrison, King, Dillard, Butler Garrick and Jefferson**

**Similar (S 0732, H 4129)**

**Summary:** Nonferrous metals

AN ACT TO AMEND SECTION 16-11-523, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OBTAINING NONFERROUS METALS UNLAWFULLY, SO AS TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS PROVISION; TO AMEND SECTION 16-17-680, AS AMENDED, RELATING TO THE PURCHASE OF NONFERROUS METALS, PROCEDURES AND REQUIREMENTS FOR PURCHASE OF NONFERROUS METALS, AND EXCEPTIONS, SO AS TO PROVIDE DEFINITIONS FOR CERTAIN NEW AND DELETE CERTAIN EXISTING TERMS, TO PROVIDE THAT A SECONDARY METALS RECYCLER, SHALL OBTAIN A PERMIT TO PURCHASE NONFERROUS METALS FROM THE SHERIFF OF THE COUNTY IN WHICH A SECONDARY METALS RECYCLER'S FIXED SITE IS LOCATED, TO PROVIDE THAT CERTAIN PERSONS WHO WANT TO TRANSPORT OR SELL NONFERROUS METALS TO A SECONDARY METALS RECYCLER SHALL OBTAIN A PERMIT TO TRANSPORT AND SELL NONFERROUS METALS FROM THE SHERIFF OF THE COUNTY IN WHICH THE PERSON RESIDES OR IS LOCATED, TO PROVIDE THAT IT IS UNLAWFUL TO OBTAIN A PERMIT FOR THE PURPOSE OF TRANSPORTING OR SELLING STOLEN NONFERROUS METALS AND TO PROVIDE A PENALTY, TO REVISE THE PROVISION THAT PROVIDES THAT IT IS UNLAWFUL TO PURCHASE NONFERROUS METALS FROM A PERSON WHO IS NOT A HOLDER OF A RETAIL LICENSE BY PROVIDING THAT THIS PROVISION APPLIES TO THE PURCHASE OF NONFERROUS METALS FOR THE PURPOSE OF RECYCLING THEM FROM A SELLER WHO IS NOT A HOLDER OF A RESALE LICENSE, AN AUTHORIZED WHOLESALER, CERTAIN CONTRACTOR, OR CERTAIN UTILITY, PLUMBING, ELECTRICAL, OR CLIMATE CONDITIONING SERVICE PROVIDER UNDER CERTAIN CIRCUMSTANCES, TO REVISE THE PROVISION THAT REQUIRES A SECONDARY METALS RECYCLER TO MAINTAIN A RECORD OF PERSONS WHO HE PURCHASES NONFERROUS METALS FROM, TO PROVIDE THAT A SECONDARY METALS RECYCLER SHALL PURCHASE COPPER, CATALYTIC CONVERTERS, AND BEER KEGS BY CHECK, TO PROVIDE THAT A SECONDARY METALS RECYCLER SHALL DISPLAY PROMINENTLY A SIGN AT HIS FIXED SITE THAT PROVIDES THE CONDITIONS THAT MUST BE MET BY A SELLER BEFORE HE MAY PURCHASE NONFERROUS METALS FROM THE SELLER, TO PROVIDE NEW AND DELETE CERTAIN PRIOR PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS SECTION, TO PROVIDE THAT THIS SECTION PREEMPTS LOCAL ORDINANCES AND REGULATIONS GOVERNING THE TRANSPORTATION OF CERTAIN NONFERROUS METALS, AND DELETE THE PROVISION THAT PROVIDES THAT THIS SECTION SHALL NOT PREEMPT THE ABILITY OF A POLITICAL SUBDIVISION TO ENACT ORDINANCES OR REGULATIONS PERTAINING TO ZONING OF BUSINESS LICENSE FEES; AND TO REPEAL SECTION 16-17-685 RELATING TO THE UNLAWFUL TRANSPORTATION OF NONFERROUS METALS. - ratified title

02/10/11	House	Introduced and read first time
02/10/11	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs
02/10/11	House	Member(s) request name added as sponsor: Dillard, Butler Garrick
02/10/11	House	Recalled from Committee on Agriculture, Natural Resources and Environmental Affairs (House Journal-page 36)
02/10/11	House	Referred to Committee on Judiciary (House Journal-page 36)
02/23/11	House	Member(s) request name removed as sponsor: Gilliard
04/27/11	House	Recalled from Committee on Judiciary (House Journal-page 23)
04/28/11		Scrivener's error corrected
05/04/11	House	Member(s) request name added as sponsor: Jefferson
05/04/11	House	Amended (House Journal-page 22)
05/04/11	House	Requests for debate-Rep(s). Brannon, Pitts, Daning, and Corbin (House Journal-page 22)
05/04/11	House	Read second time (House Journal-page 22)
05/04/11	House	Roll call Yeas-93 Nays-6 (House Journal-page 22)
05/05/11	House	Read third time and sent to Senate (House Journal-page 13)
05/05/11		Scrivener's error corrected
05/11/11	Senate	Introduced, read first time, placed on calendar without reference (Senate Journal-page 14)
05/31/11	Senate	Read second time (Senate Journal-page 61)
05/31/11	Senate	Roll call Ayes-36 Nays-3 (Senate Journal-page 61)

06/01/11	Senate	Amended (Senate Journal-page 24)
06/01/11	Senate	Read third time and returned to House with amendments (Senate Journal-page 24)
06/01/11	Senate	Roll call Ayes-38 Nays-2 (Senate Journal-page 24)
06/02/11	House	Senate amendment amended (House Journal-page 11)
06/02/11	House	Roll call Yeas-79 Nays-34 (House Journal-page 11)
06/02/11	House	Returned to Senate with amendments (House Journal-page 11)
06/15/11	Senate	Concurred in House amendment and enrolled (Senate Journal-page 239)
06/15/11	Senate	Roll call Ayes-39 Nays-1 (Senate Journal-page 239)
06/16/11		Ratified R 102
06/17/11		Signed By Governor
06/22/11		Effective date 08/17/11
06/27/11		Act No. 68