**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3940**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rutherford, Wooten, Rose, B. Cox, Simrill, Pope, J.E. Johnson, Bailey, Hewitt, Bryant, Calhoon, D.C. Moss, V.S. Moss, Yow, Thigpen and Huggins

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Companion/Similar bill(s): 590, 3991

Introduced in the House on February 23, 2021

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Nonferrous Metals - Catalytic Converters

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/23/2021 House Introduced and read first time ([House Journal‑page 9](file:///h:\hj\20210223.docx))

2/23/2021 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 9](file:///h:\hj\20210223.docx))

3/3/2021 House Member(s) request name added as sponsor: Thigpen

3/9/2021 House Member(s) request name added as sponsor: Huggins

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**VERSIONS OF THIS BILL**

[2/23/2021](file:///p:\pprever\2021-22\3940_20210223.docx)

**A** **BILL**

TO AMEND SECTION 16‑17‑680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE THAT A SECONDARY METALS RECYCLER SHALL NOT PURCHASE OR OTHERWISE ACQUIRE A CATALYTIC CONVERTER OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED AS PART OF A VEHICLE OR UNDER CERTAIN OTHER DELINEATED CIRCUMSTANCES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16‑17‑680(I) of the 1976 Code is amended to read:

“(I) A secondary metals recycler shall not purchase or otherwise acquire:

(1) an iron or steel manhole cover;

(2) an iron or steel drainage grate; ~~or~~

(3) a coil, unless the seller is an exempted entity pursuant to subsection (J)(1)(e) or the seller presents a bill of sale from a company licensed pursuant to Chapter 11, Title 40 indicating that the seller acquired the coil as the result of a unit replacement or repair. The bill of sale is sufficient proof of ownership and serves the same purpose as a permit to transport and sell nonferrous metals. A person who presents a falsified bill of sale is guilty of a misdemeanor, and, upon conviction, must be fined in the discretion of the court or imprisoned not more three years, or both; or

(4) a catalytic converter or any nonferrous part of a catalytic converter unless purchased as part of a vehicle or purchased from:

(a) a new motor vehicle dealer, motor vehicle repairer, manufacturer, or distributor of catalytic converters whose valid business licenses the secondary metals recycler copies at the time of the purchase transaction; or

(b) a seller with verifiable documentation, such as a receipt or work order, indicating the catalytic converter is the result of a replacement performed by a used motor vehicle dealer, new motor vehicle dealer, or motor vehicle repairer noting the make, model, and year of the vehicle in which it was replaced, as well as a copy of the vehicle’s title or registration showing an ownership interest in it.”

SECTION 2. This act takes effect upon approval by the Governor.

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