

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2326

By Committee on Judiciary

2-7

1 AN ACT concerning consumer protection; relating to the scrap metal theft
2 reduction act; clarifying that catalytic converters are regulated scrap
3 metal; extending the expiration date of the act; amending K.S.A. 2022
4 Supp. 50-6,109 and 50-6,112d and repealing the existing sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2022 Supp. 50-6,109 is hereby amended to read as
8 follows: 50-6,109. (a) K.S.A. 2022 Supp. 50-6,109 through ~~50-6,112e~~ 50-
9 6,112d, and amendments thereto, shall be known and may be cited as the
10 scrap metal theft reduction act.

11 (b) As used in the scrap metal theft reduction act:

12 (1) "Scrap metal dealer" means any individual, firm, company,
13 partnership, association or corporation that operates a business that is
14 engaged in the business of buying, trading or dealing in regulated scrap
15 metal for the purpose of sale for recycling.

16 (2) (A) "Regulated scrap metal" means any item, in any form, for
17 which the purchase price described in K.S.A. 2022 Supp. 50-6,110 and 50-
18 6,111, and amendments thereto, was primarily based on the content of:

19 ~~(A)~~(i) Aluminum, except that aluminum shall not include food or
20 beverage containers;

21 ~~(B)~~(ii) copper;

22 ~~(C)~~(iii) brass;

23 ~~(D)~~(iv) bronze;

24 ~~(E)~~(v) stainless steel;

25 ~~(F)~~(vi) zinc;

26 ~~(G)~~(vii) titanium;

27 ~~(H)~~(viii) tungsten;

28 ~~(I)~~(ix) nickel;

29 ~~(J)~~(x) platinum;

30 ~~(K)~~(xi) palladium;

31 ~~(L)~~(xii) rhodium;

32 ~~(M)~~(xiii) magnesium;

33 ~~(N)~~(xiv) lead;

34 ~~(O)~~(xv) any other nonferrous metal; or

35 ~~(P)~~(xvi) any combination of nonferrous metals listed in ~~subsections~~
36 ~~(b)(2)(A) through (b)(2)(P)~~ this subparagraph.

1 (B) "Regulated scrap metal" includes catalytic converters.

2 (3) "Bales of regulated metal" means regulated scrap metal property
3 processed with professional recycling equipment by compression, shearing
4 or shredding, to a form in which it may be sold by a scrap metal dealer
5 consistent with industry standards.

6 (4) "Junk vehicle" means a vehicle as defined in K.S.A. 8-126, and
7 amendments thereto, not requiring a title as provided in chapter 8 of the
8 Kansas Statutes Annotated, and amendments thereto, an aircraft or a boat
9 which is being sold for scrap value.

10 (5) "Nonferrous metal" means a metal that does not contain iron or
11 steel.

12 (6) "Vehicle part" means:

13 (A) The front clip consisting of the two front fenders, hood, grill and
14 front bumper of an automobile assembled as one unit; or

15 (B) the rear clip consisting of those body parts behind the rear edge of
16 the back doors, including both rear quarter panels, the rear window, trunk
17 lid, trunk floor panel and rear bumper, assembled as one unit.

18 (7) "Person" means any individual, scrap metal dealer, manager or
19 employee, owner, operator, corporation, partnership or association.

20 (8) "Attorney general" means the attorney general of the state of
21 Kansas or the attorney general's designee.

22 **(9) "Catalytic converters" means a device installed in the exhaust**
23 **system of a motor vehicle that uses a catalyst to convert pollutant**
24 **gases into less harmful gases.**

25 Sec. 2. K.S.A. 2022 Supp. 50-6,112d is hereby amended to read as
26 follows: 50-6,112d. ~~(a)~~—The provisions of the scrap metal theft reduction
27 act shall expire on July 1, ~~2023~~ 2028.

28 ~~(b)~~—~~This section shall be a part of and supplemental to the scrap metal~~
29 ~~theft reduction act.~~

30 Sec. 3. K.S.A. 2022 Supp. 50-6,109 and 50-6,112d are hereby
31 repealed.

32 Sec. 4. This act shall take effect and be in force from and after its
33 publication in the statute book.