

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H3/19/13
A Bill

HOUSE BILL 1982

5 By: Representative Hillman
6

7 **For An Act To Be Entitled**

8 AN ACT REGARDING PROTECTION OF AGRICULTURAL EQUIPMENT
9 AND IMPLEMENTS; TO REGULATE TRANSACTIONS INVOLVING
10 CERTAIN METALS ASSOCIATED WITH AGRICULTURAL
11 PRODUCTION; AND FOR OTHER PURPOSES.
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14 **Subtitle**

15 REGARDING PROTECTION OF AGRICULTURAL
16 EQUIPMENT AND IMPLEMENTS; AND TO REGULATE
17 TRANSACTIONS INVOLVING CERTAIN METALS
18 ASSOCIATED WITH AGRICULTURAL PRODUCTION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. DO NOT CODIFY. Legislative intent.

24 It is the intent of the General Assembly to protect the state's
25 agricultural producers and farmers from the destruction of their equipment
26 and implements due to purposeful destruction by persons stripping equipment
27 and implements for nonferrous metals.
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29 SECTION 2. Arkansas Code Title 17, Chapter 44, is amended to add
30 additional new sections to read as follows:

31 17-44-107. Regulation of scrap metal sellers.

32 (a)(1) Before a person may sell nonferrous scrap metal to a commercial
33 buyer of nonferrous scrap metal, the person is required to deliver the
34 nonferrous scrap metal to the county sheriff of the county or other law
35 enforcement officer as designated by the county sheriff in which the seller
36 resides in order to:



1 (A) Request a permit from the county sheriff to sell the
2 nonferrous scrap metal; and

3 (B) Allow the county sheriff to take a photograph of the
4 nonferrous scrap metal to be sold.

5 (2) A person who complies with the requirements of this shall be
6 issued a permit to sell the nonferrous scrap metal by the county sheriff.

7 (b) A commercial buyer of scrap metal is required to request a copy of
8 the permit and photograph described under subsection (a) of this section
9 before agreeing to purchase the nonferrous scrap metal.

10 (c) A person who holds a heating, ventilation, and air conditioning
11 license, a plumber's license, an electrician's license, or a general
12 contractor's license is exempt from the requirements of this section.

13 (d) A person who sells beverage containers solely to a commercial
14 buyer of scrap metal is not subject to this section.

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16 17-44-108. Transactions or acquisitions involving nonferrous metals -
17 Payment by check required.

18 (a) A commercial scrap metal dealer or recycler subject to the
19 requirements of this chapter is prohibited from purchasing or otherwise
20 acquiring nonferrous metals by performing a cash transaction.

21 (b)(1) Purchases or other acquisitions of nonferrous metals shall be
22 paid by personal or business check to be mailed to the seller's physical
23 mailing address.

24 (2) However, a commercial buyer of scrap metal may purchase
25 beverage containers with cash.

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28 /s/Hillman
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