

**METAL THEFT AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gene Davis**

House Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill modifies the Utah Criminal Code regarding the theft of metal.

**Highlighted Provisions:**

This bill:

▶ provides that the records and identification requirements regarding transactions in regulated metal apply also to persons who refine or melt regulated metals;

**Ŧ→ ▶ provides a definition of a metals refiner; ←Ŧ** and

▶ requires that the identification provided for transactions in regulated metals be a form of identification provided by a state or the federal government.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**76-6-1402**, as renumbered and amended by Laws of Utah 2013, Chapter 187

**76-6-1403**, as renumbered and amended by Laws of Utah 2013, Chapter 187

---

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **76-6-1402** is amended to read:

**76-6-1402. Definitions.**

S.B. 92



28 As used in this part:

29 (1) "Catalytic converter" means a motor vehicle exhaust system component that  
30 reduces vehicle emissions by breaking down harmful exhaust emissions.

31 (2) "Dealer" means ~~any~~:

32 (a) a scrap metal processor or secondary metals dealer or recycler, but does not include  
33 junk dealers or solid waste management facilities as defined in Section 19-6-502~~[-];~~ or

34 (b) a metals refiner.

35 (3) "Ferrous metal" means a metal that contains significant quantities of iron or steel.

36 (4) "Identification" means a form of positive identification issued by a state of the  
37 United States or the United States federal government that:

38 (a) contains a numerical identifier and a photograph of the person identified;

39 (b) provides the date of birth of the person identified; and

40 (c) includes a state identification card, a state driver license, a United States military  
41 identification card, or a United States passport.

42 (5) "Junk dealer" means all persons, firms, or corporations engaged in the business of  
43 purchasing or selling secondhand or castoff material, including ropes, cordage, bottles,  
44 bagging, rags, rubber, paper, and other like materials, but not including regulated metal.

45 (6) "Local law enforcement agency" means the law enforcement agency that has  
46 jurisdiction over the area where the dealer's business is located.

47 (7) "Metals refiner" means an individual or business that refines or melts any regulated  
48 metal ~~§~~→ , but does not include an individual or business that primarily uses ore, concentrate,  
48a or other primary materials in refining, melting, or producing any regulated metal ←~~§~~ .

49 ~~[(7)]~~ (8) "Nonferrous metal":

50 (a) means a metal that does not contain significant quantities of iron or steel; and

51 (b) includes copper, brass, aluminum, bronze, lead, zinc, nickel, and their alloys.

52 ~~[(8)]~~ (9) (a) "Regulated metal" means any item composed primarily of nonferrous  
53 metal, except as provided in Subsection ~~[(8)]~~ (9)(c).

54 (b) "Regulated metal" includes:

55 (i) aluminum, brass, copper, lead, chromium, tin, nickel, or alloys of these metals,  
56 except under Subsection ~~[(8)]~~ (9)(c);

57 (ii) property owned by, and also identified by marking or other means as the property  
58 of: