

House Bill 2721

Sponsored by Representative WITT; Representatives BARKER, BEYER, BOONE, BOQUIST, BUCKLEY, BURLEY, BUTLER, CLEM, COWAN, DALLUM, D EDWARDS, ESQUIVEL, FLORES, GARRARD, GILMAN, HOLVEY, JENSON, KRIEGER, KRUMMEL, LIM, MORGAN, NELSON, RILEY, ROBLAN, SCHAUFLEER, G SMITH, P SMITH, THATCHER, WHISNANT, Senator JOHNSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies crime of failing to maintain a metal purchase record. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both.

A BILL FOR AN ACT

Relating to metal purchase records; amending ORS 165.107.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 165.107 is amended to read:

165.107. (1) A person commits the crime of failing to maintain a metal purchase record if the person buys or otherwise obtains new, used or secondhand nonferrous metals or alloys thereof without keeping a record of all such articles purchased or obtained.

(2) The person purchasing or obtaining the metal shall retain the record required by subsection (1) of this section for a period of not less than one year and the person shall make the record available to any peace officer on demand. The record shall contain:

(a) The date and time of the transaction.

[(a)] **(b)** A *[general]* description of all property purchased, **including the property's original intended use.**

[(b)] **(c)** The type and quantity or weight of the property, **including, if discernible, the manufacturer's serial number or any other unique identifying marks, numbers, names or letters that may be on an item.**

[(c)] **(d)** *[The name, address, description and signature]* **A photocopy of a current, valid driver license, passport or state identification card and the signature** of the person who sells, makes delivery or otherwise makes the metal available.

[(d)] **(e)** A description of any motor vehicle and its license number used in the delivery of such articles.

(f) A photocopy of a check, if used to purchase the metal.

(3) This section shall not apply to purchases made by or from a manufacturer, remanufacturer or a distributor appointed by a manufacturer of such articles.

(4) As used in this section, "nonferrous metal" includes, but is not limited to, aluminum, stainless steel, copper, copper wire, copper cable, brass, electrolytic nickel and zinc. "Nonferrous metal" does not include precious metals when actually used in the manufacture, repair, sale or resale of jewelry.

(5) Failing to maintain a metal purchase record is a Class *[B misdemeanor]* **C felony.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.