

House Bill 2484

Sponsored by Representative CLEM

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**.

Creates crime of encouraging metal theft. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both.

A BILL FOR AN ACT

1
2 Relating to scrap metal; creating new provisions; and amending ORS 161.005.

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

4 **SECTION 1. (1) A person commits the crime of encouraging metal theft if the person, for**
5 **recycling purposes, buys or otherwise obtains for consideration new, used or secondhand**
6 **scrap metal and:**

7 (a) **Fails to obtain the mailing address of the seller; or**

8 (b) **Provides consideration for the metal by any means other than mailing a check more**
9 **than 15 days after obtaining the metal to the mailing address provided by the seller.**

10 (2) **Encouraging metal theft is a Class A misdemeanor.**

11 (3) **As used in this section:**

12 (a) **"Scrap metal" means metal that has outlived its original manufactured purchase.**
13 **"Scrap metal" does not include beverage containers as defined in ORS 459A.700.**

14 (b) **"Seller" means a person who sells or delivers the metal or otherwise makes the metal**
15 **available to the recycler.**

16 **SECTION 2. ORS 161.005 is amended to read:**

17 161.005. ORS 161.005 to 161.055, 161.085 to 161.125, 161.150 to 161.175, 161.190 to 161.275, 161.290
18 to 161.370, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705 to 161.737,
19 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to
20 162.425, 162.465, 163.005, 163.115, 163.125 to 163.145, 163.149, 163.160 to 163.208, 163.215 to 163.257,
21 163.261, 163.263, 163.264, 163.266, 163.275, 163.285, 163.305 to 163.467, 163.432, 163.433, 163.505 to
22 163.575, 163.665 to 163.693, 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305
23 to 164.377, 164.395 to 164.415, 164.805, 164.886, 165.002 to 165.102, 165.109, 165.805, 166.005 to 166.095,
24 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027, 167.054, 167.057, 167.060 to 167.100, 167.117,
25 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340 and 167.350, 167.810 and 167.820 **and sec-**
26 **tion 1 of this 2009 Act** shall be known and may be cited as Oregon Criminal Code of 1971.
27

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.