
A BILL FOR AN ACT

RELATING TO METAL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 445-231, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Stainless steel beverage container" means an iron-carbon
5 alloy product with a minimum of ten per cent chromium content,
6 including parts of the product; provided that a stainless steel
7 beverage container is not a deposit beverage container, as
8 defined under section 342G-101."

9 SECTION 2. Section 445-233, Hawaii Revised Statutes, is
10 amended as follows:

11 1. By amending subsection (b) to read:

12 "(b) If the scrap presented for purchase is copper, or a
13 stainless steel beverage container, in whole or in part, the
14 seller shall provide a copy of a receipt that describes, with
15 particularity:

16 (1) The exact item that is being offered for sale;

17 (2) Who issued the receipt;



1 (3) The date of sale of the item prior to the item's being
2 offered to the scrap dealer; and

3 (4) The price, if any, of the item when obtained by the
4 seller."

5 2. By amending subsections (d), (e), and (f) to read:

6 "(d) If the seller does not provide a copy of the receipt
7 or the notarized declaration as required by subsections (b) and
8 (c), the scrap dealer shall not purchase the copper, or
9 stainless steel beverage container, in whole or in part, and
10 shall report the attempted sale to the police.

11 (e) If the scrap dealer purchases any copper, or stainless
12 steel beverage container, in whole or in part, the scrap dealer
13 shall take a photograph or photographs of all of the copper or
14 stainless steel beverage containers offered for sale.

15 (f) The scrap dealer shall also require the seller to
16 verify the seller's identity by presenting a valid photo
17 identification card or license issued by a federal or state
18 government agency authorized to issue [~~such~~] valid
19 identification. If the scrap being offered for sale is copper,
20 or a stainless steel beverage container, in whole or in part,
21 the scrap dealer shall:

22 (1) Take a photograph of the seller; or



1 (2) Make a photocopy of the identification card or license
2 of the seller."

3 SECTION 3. Section 708-835.7, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~§~~708-835.7~~§~~ Theft of copper~~[-]~~ or stainless steel
6 beverage container. (1) A person commits the offense of theft
7 of copper if the person commits theft of copper that weighs a
8 pound or more, but not including legal tender of the United
9 States.

10 (2) A person commits the offense of theft of a stainless
11 steel beverage container if the person commits theft of a
12 stainless steel beverage container that weighs a pound or more.

13 (3) Theft of copper or a stainless steel beverage
14 container is a class C felony~~[-]~~; provided that "stainless steel
15 beverage container" shall have the same meaning as defined under
16 section 445-231."

17 SECTION 4. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun, before its effective date.

20 SECTION 5. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect on July 1, 2008 and
2 shall be repealed on July 1, 2009; provided that sections
3 445-231 and 445-233, Hawaii Revised Statutes, shall be reenacted
4 in the form in which those sections read on the day before the
5 effective date of Act 197, Session Laws of Hawaii 2007.



Report Title:

Scrap Metal; Theft

Description:

Includes stainless steel beverage containers in laws intended to prevent theft and resale of copper. (SD2)

