



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 791

PRINTER'S NO. 1754

PRIME SPONSOR: Isaacson

### COST / (SAVINGS)

FUND	FY 2022/23	FY 2023/24
General Fund	\$0	\$0
Local Government	\$0	See Fiscal Impact

### SUMMARY:

Places requirements on scrap metal dealers who purchase catalytic converters.

### ANALYSIS:

House Bill 791 amends the Scrap Material Theft Prevention Act (Act 113 of 2008) to place additional requirements on scrap processors and recycling facility operators who purchase catalytic converters or scrap material that bears a name or mark under Title 54 Chapter 15 (reusable marked articles and receptacles).

Section 3(a) is amended to add the requirement that scrap processors and recycling facility operators collect identification information if the scrap material bears a name or mark. The legislation imposes a new penalty for a scrap processor or recycling facility that fails to collect the required information in Section 3 (e).

An individual who violates this section would be guilty of a misdemeanor of the third degree. The amendment sets the minimum fine for a conviction at \$5,000. A misdemeanor of the third degree is punishable by imprisonment not to exceed 1 year.

The legislation adds sections 3 (a.1) and 3 (c.1) which require that recycling facilities collect additional information and comply with a holding period for transactions that include a catalytic converter.

The legislation further adds section 7 (c) which makes it an offense for a person that is not affiliated with a commercial account to, without proper justification, intentionally possess a detached catalytic converter. This offense is a misdemeanor of the third degree and is punishable by up to one year in jail or a fine of up to \$2,500.

This legislation would take effect in 60 days upon enactment.

### FISCAL IMPACT:

Data are not available to reliably estimate how many individuals may be convicted and sentenced for the new and amended offenses. Therefore, their potential fiscal impact on the Commonwealth is indeterminable.

However, offenders with a maximum sentence of less than two years are typically sent to a county jail. Marginal costs are not available for county facilities, but the average annual cost to incarcerate someone in a county jail in 2022 was \$43,701.

Any revenue generated by fines in this section would be distributed to counties depending on the location of the court which imposed the fine pursuant to 42 Pa.C.S. § 3572.

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House Appropriations Committee (D)

**DATE:** June 27, 2023

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*