

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 2291** Session of
2022

INTRODUCED BY ISAACSON, WHITE, BURGOS, CEPHAS, DRISCOLL,
FITZGERALD, FREEMAN, GILLEN, GUENST, HENNESSEY, HOHENSTEIN,
MADDEN, NEILSON, ROZZI, SANCHEZ, SOLOMON, WARREN AND ZABEL,
JANUARY 27, 2022

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 27, 2022

AN ACT

1 Amending the act of October 9, 2008 (P.L.1408, No.113), entitled
2 "An act requiring scrap processors and recycling facility
3 operators to collect certain information relating to the
4 purchase of scrap material; requiring commercial accounts;
5 and restricting scrap processors and recycling facility
6 operators from purchasing certain materials," further
7 providing for identification requirements for sale of scrap
8 materials to scrap processors and recycling facility
9 operators.

10 The General Assembly finds that:

11 (1) Copper, aluminum, steel and other metal commodity
12 thefts rise as the price of metal property increases.

13 (2) Scrap processors and recycling facility operators
14 may serve as unknowing conduits for the disposition of stolen
15 metal property and may also be victims of theft.

16 (3) Individuals have found it to be more financially
17 advantageous to sell used beer kegs to a scrap processor or
18 recycling facility operator as opposed to returning the kegs
19 to the distributor where they were rented.

20 (4) This act is needed to ensure appropriate

1 documentation of transactions to assist law enforcement
2 agencies to identify, recover and return stolen property to
3 its owner and to ensure, as reasonably as possible, that
4 scrap processors and recycling facility operators are less
5 likely to be used as conduits for the liquidation and
6 disposal of stolen metal property.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 3 of the act of October 9, 2008
10 (P.L.1408, No.113), known as the Scrap Material Theft Prevention
11 Act, is amended by adding subsections to read:

12 Section 3. Identification requirements for sale of scrap
13 materials to scrap processors and recycling facility
14 operators.

15 * * *

16 (a.1) Additional requirements for catalytic converters.--A
17 scrap processor and recycling facility operator shall collect
18 the following in addition to the information required under
19 subsection (a) if the transaction includes a catalytic
20 converter:

21 (1) The year, make, model and vehicle identification
22 number of the vehicle from which the catalytic converter was
23 removed.

24 (2) A photograph of the catalytic converter.

25 (3) A photograph of the seller.

26 * * *

27 (c.1) Holding period for transactions involving a catalytic
28 converter.--If a transaction between a scrap processor and
29 recycling facility operator and a seller includes a catalytic
30 converter, in addition to the requirements under subsection (c),

1 the following shall apply:

2 (1) Except as provided under paragraph (2), the scrap
3 processor or recycling facility operator shall withhold
4 payment to the seller for 48 hours.

5 (2) If a hold is in place under subsection (c), the
6 scrap processor or recycling facility shall withhold payment
7 until the hold is lifted by law enforcement or a magisterial
8 district judge under subsection (c).

9 (3) During a holding period under subsection (c) or this
10 subsection, the scrap processor or recycling facility
11 operator shall keep the catalytic converter intact and safe
12 from alteration, damage or commingling and shall place an
13 identifying tag or other suitable identification upon the
14 scrap metal.

15 * * *

16 Section 2. This act shall take effect in 60 days.