

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1453

By: Ballenger of the Senate

and

Adkins of the House

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8 COMMITTEE SUBSTITUTE

9 An Act relating to junk dealers; amending Section 8,
10 Chapter 99, O.S.L. 2007 (59 O.S. Supp. 2007, Section
11 1412), which relates to purchases of certain
12 property; requiring proof of ownership to purchase
13 certain beer kegs; and declaring an emergency.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY Section 8, Chapter 99, O.S.L. 2007
16 (59 O.S. Supp. 2007, Section 1412), is amended to read as follows:

17 Section 1412. A. A junk dealer or salvage dealer licensed or
18 permitted to do business in this state shall not purchase any of the
19 following items without obtaining proof that the seller owns the
20 property, either by receipt, bill of sale or other proof of
21 ownership, or proof that the seller is an employee, agent, or
22 contractor of a governmental entity, utility company, cemetery,
23 railroad, manufacturer, or other person, business or entity owning
24

1 the property and the seller is authorized to sell the item on behalf
2 of the person, business or entity owning the property:

3 1. A manhole cover;

4 2. An electric light pole and its fixtures and hardware or any
5 other hardware associated with the electric utility system;

6 3. A guard rail;

7 4. A street sign, traffic sign or traffic signal and its
8 fixtures or hardware;

9 5. Communications, transmission and service wire;

10 6. A funeral marker or funeral vase;

11 7. A historical marker;

12 8. Railroad equipment, including, but not limited to, a tie
13 plate, switch plate, E clip or rail tie junction;

14 9. Any metal item that is marked with any form of the name,
15 initials or logo of a governmental entity, utility company, cemetery
16 or railroad;

17 10. A copper or aluminum condensing or evaporating coil from a
18 heating or air conditioning unit;

19 11. An aluminum or stainless steel container or bottle designed
20 to hold propane for fueling fork lifts;

21 12. Metal bleachers or other seating facilities used in
22 recreational areas or sporting arenas;

23 13. Automotive catalytic converters;

24 14. Plumbing or electrical fixtures;

1 15. Tools; ~~and~~

2 16. Machinery or supplies commonly used in the drilling,
3 completing, operating or repairing of oil or gas wells; and

4 17. Metal beer kegs that are clearly marked as being the
5 property of the beer manufacturer.

6 B. Any person convicted of a violation of this section shall be
7 punishable by a fine of not more than Two Thousand Five Hundred
8 Dollars (\$2,500.00). A second or subsequent violation of this
9 section shall be punishable by a fine of not more than Five Thousand
10 Dollars (\$5,000.00). A third violation of this section shall be
11 punishable by a fine of Ten Thousand Dollars (\$10,000.00) and
12 forfeiture of the junk dealer's or salvage dealer's license or
13 permit.

14 SECTION 2. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

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19 51-2-10659 MMP 03/18/08
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