

THE HOUSE OF REPRESENTATIVES  
Monday, March 24, 2008

Committee Substitute for  
ENGROSSED  
Senate Bill No. 1453

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 1453 - By:  
BALLENGER of the Senate and ADKINS of the House.

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

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

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

3 Section 1412. A. A junk dealer or salvage dealer licensed or permitted to do  
4 business in this state shall not purchase any of the following items without obtaining  
5 proof that the seller owns the property, either by receipt, bill of sale or other proof of  
6 ownership, or proof that the seller is an employee, agent, or contractor of a governmental  
7 entity, utility company, cemetery, railroad, manufacturer, or other person, business or  
8 entity owning the property and the seller is authorized to sell the item on behalf of the  
9 person, business or entity owning the property:

10 1. A manhole cover;

- 1           2. An electric light pole and its fixtures and hardware or any other hardware
- 2 associated with the electric utility system;
- 3           3. A guard rail;
- 4           4. A street sign, traffic sign or traffic signal and its fixtures or hardware;
- 5           5. Communications, transmission and service wire;
- 6           6. A funeral marker or funeral vase;
- 7           7. A historical marker;
- 8           8. Railroad equipment, including, but not limited to, a tie plate, switch plate, E clip
- 9 or rail tie junction;
- 10          9. Any metal item that is marked with any form of the name, initials or logo of a
- 11 governmental entity, utility company, cemetery or railroad;
- 12          10. A copper or aluminum condensing or evaporating coil from a heating or air
- 13 conditioning unit;
- 14          11. An aluminum or stainless steel container or bottle designed to hold propane for
- 15 fueling fork lifts;
- 16          12. Metal bleachers or other seating facilities used in recreational areas or sporting
- 17 arenas;
- 18          13. Automotive catalytic converters;
- 19          14. Plumbing or electrical fixtures;
- 20          15. Tools; ~~and~~
- 21          16. Machinery or supplies commonly used in the drilling, completing, operating or
- 22 repairing of oil or gas wells; and

1        17. Metal beer kegs that are clearly marked as being the property of the beer  
2 manufacturer.

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND  
13 FINANCIAL SERVICES, dated 03-19-08 - DO PASS, As Amended.