

1 ENGROSSED SENATE  
2 BILL NO. 1283

By: Sparks and Allen of the  
Senate

3 and

4 Martin (Scott) of the House

5  
6  
7 [ scrap metal - Oklahoma Scrap Metal Dealers Act -  
8 effective date - emergency ]

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

12 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1425, is  
13 amended to read as follows:

14 Section 1425. A. Any person found in violation of any  
15 provision of ~~this act~~ the Oklahoma Scrap Metal Dealers Act, with the  
16 exceptions as provided by subsections B, C and D of this section,  
17 shall, upon conviction, be deemed guilty of a misdemeanor and  
18 punished by a fine of not more than Two Thousand Five Hundred  
19 Dollars (\$2,500.00) per offense. A second violation of ~~this act~~ the  
20 Oklahoma Scrap Metal Dealers Act shall, upon conviction, be deemed  
21 guilty of a misdemeanor and punished by a fine of not more than Five  
22 Thousand Dollars (\$5,000.00) per offense or by imprisonment in the  
23 county jail for a period of not more than six (6) months. A third  
24 or subsequent violation of ~~this act~~ the Oklahoma Scrap Metal Dealers

1 Act shall, upon conviction, be a felony punishable by a fine of not  
2 more than Ten Thousand Dollars (\$10,000.00) per offense or by  
3 imprisonment in the custody of the Department of Corrections for a  
4 period of not more than two (2) years, or by both such fine and  
5 imprisonment.

6 B. Any person acting as a scrap metal dealer without a sales  
7 tax permit as required by ~~this act~~ the Oklahoma Scrap Metal Dealers  
8 Act shall, upon conviction, be guilty of a misdemeanor and punished  
9 by a fine of not more than Five Hundred Dollars (\$500.00), provided  
10 that each day of operation in violation of ~~this act~~ the Oklahoma  
11 Scrap Metal Dealers Act shall constitute a separate offense.

12 C. Any person who knowingly provides false information with  
13 respect to the information required by Section ~~3 of this act~~ 1423 of  
14 this title shall, upon conviction, be guilty of a misdemeanor and  
15 punished by a fine of not more than Five Hundred Dollars (\$500.00).  
16 Upon a second or subsequent conviction a person shall be guilty of a  
17 felony and punished by a fine of One Thousand Dollars (\$1,000.00).

18 D. Any person convicted of purchasing or selling burnt copper  
19 material or copper wire as prohibited by subsection G of Section ~~3~~  
20 ~~of this act~~ 1423 of this title shall, upon first conviction, be  
21 deemed guilty of a misdemeanor and punished by a fine of Two  
22 Thousand Five Hundred Dollars (\$2,500.00). A second or subsequent  
23 conviction shall be deemed a felony offense punishable by a fine of  
24 Five Thousand Dollars (\$5,000.00) or by imprisonment in the custody

1 of the Department of Corrections for a period of not more than two  
2 (2) years, or by both such fine and imprisonment.

3 E. Each scrap metal dealer convicted of a violation of ~~this act~~  
4 the Oklahoma Scrap Metal Dealers Act shall be reported to the  
5 Oklahoma Tax Commission by the clerk of the court rendering such  
6 verdict.

7 F. The Tax Commission shall revoke the sales tax permit of any  
8 person convicted of three separate violations of ~~this act~~ the  
9 Oklahoma Scrap Metal Dealers Act, and he or she shall not be  
10 eligible to receive a sales tax permit for such purpose for a period  
11 of one year following the revocation. Such revocation procedure  
12 shall be subject to notice and hearing as required by Section ~~6~~ 1426  
13 of this ~~act~~ title.

14 SECTION 2. This act shall become effective July 1, 2012.

15 SECTION 3. It being immediately necessary for the preservation  
16 of the public peace, health and safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.

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