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**MEMORANDUM**

To: House Judiciary Committee  
From: Natalie Scott, Assistant Revisor of Statutes  
Date: May 2, 2019  
Subject: Bill Brief on SB 219

SB 219 makes changes to the Scrap Metal Theft Reduction Act.

Section 1 amends K.S.A. 50-6,109a to create the scrap metal data repository fund, which will be administered by the director of the KBI. The section would also allow the attorney general to transfer money from the scrap metal theft reduction fee fund to the newly created scrap metal data repository fund. It also transfers the responsibility for the database containing the information provided under K.S.A. 50-6,110 from the attorney general to the KBI. This section also requires the attorney general to submit a report annually to the legislature on the implementation, administration and enforcement of the scrap metal theft reduction act. Any entity contracting with the attorney general or the KBI to provide or maintain the database cannot require a scrap metal dealer to release proprietary or confidential data and they cannot charge a fee as a condition of providing information to the database. A scrap metal dealer providing information to the database won't be held civilly liable for a claim arising out of negligence or omission by the state or an entity contracting with the state.

Section 2 amends K.S.A. 50-6,110 to remove the requirement that dealers collect the email address of a person selling scrap metal. It also requires dealers to forward the required information to the database for each transaction within 72 hours after each transaction. This section is also amended to remove the delay of implementation of subsections (c) and (e) of the section.

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Section 3 amends K.S.A. 50-6,112a to reduce the statutory cap for the scrap metal dealer registration fee to \$500 starting on January 1, 2020. It also removes the delay of implementation of subsections (d) and (f) of this section.

Section 4 amends K.S.A. 50-6,112b to remove the provisions making scrap metal dealers subject to a criminal history records check. It also removes the delay of implementation of subsection (b)(10) of this section.