

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Recyclable Metal Purchase Registration Law
5 is amended by changing Sections 4.1 and 8 as follows:

6 (815 ILCS 325/4.1)

7 Sec. 4.1. Restricted purchases.

8 (a) It is a violation of this Act for any person to sell or
9 attempt to sell, or for any recyclable metal dealer to
10 purchase or attempt to purchase, any of the following:

11 (1) materials that are clearly marked as property
12 belonging to a business or someone else other than the
13 seller;

14 (2) property associated with use by governments,
15 utilities, or railroads including, but not limited to,
16 guardrails, manhole covers, electric transmission and
17 distribution equipment, including transformers, grounding
18 straps, wires or poles, historical markers, street signs,
19 traffic signs, sewer grates, or any rail, switch
20 component, spike, angle bar, tie plate, or bolt of the
21 type used in constructing railroad track;

22 (3) cemetery plaques or ornaments; or

23 (4) any catalytic converter not attached to a motor

1 vehicle at the time of the transaction unless the seller
2 is licensed as an automotive parts recycler or scrap
3 processor. The following provisions apply to the sale or
4 purchase of a catalytic converter:

5 (A) An automotive parts recycler or scrap
6 processor who purchases or attempts to purchase a
7 catalytic converter under this paragraph shall require
8 the person selling or attempting to sell a catalytic
9 converter to provide a driver's license or other
10 government-issued identification showing the person's
11 name, date of birth, and photograph.

12 (B) An automotive parts recycler or scrap
13 processor shall maintain a log documenting the name
14 and address of the person selling the catalytic
15 converter and the date and time of the transaction.
16 The person selling the catalytic converter is required
17 to sign such log. The log shall be maintained for not
18 less than 4 years and shall be made available for
19 inspection and copying by any law enforcement officer
20 upon request of that officer.

21 (C) No automotive parts recycler or scrap
22 processor shall purchase more than 2 catalytic
23 converters from a person in a single transaction.

24 (b) This Section shall not apply when the seller produces
25 written documentation reasonably demonstrating that the seller
26 is the owner of the recyclable metal material or is authorized

1 to sell the material on behalf of the owner. The recyclable
2 metal dealer shall copy any such documentation and maintain it
3 along with the purchase record required by Section 3 of this
4 Act.

5 (Source: P.A. 97-923, eff. 1-1-13.)

6 (815 ILCS 325/8) (from Ch. 121 1/2, par. 328)

7 Sec. 8. Penalty. Any recyclable metal dealer or other
8 person who knowingly fails to comply with this Act is guilty of
9 a Class A misdemeanor for the first offense, and a Class 4
10 felony for the second or subsequent offense. Each day that any
11 recyclable metal dealer so fails to comply shall constitute a
12 separate offense. A recyclable metal dealer or other person
13 who fails to comply with paragraph (4) of Section 4.1 shall be
14 fined \$5,000 in addition to any other penalty imposed by the
15 court.

16 (Source: P.A. 97-923, eff. 1-1-13.)