SLS 26RS-1154 **REENGROSSED**

2026 Regular Session

SENATE BILL NO. 496

BY SENATOR CONNICK

SECONDHAND DEALERS. Provides for the regulation of copper purchases by scrap metal dealers or recyclers. (8/1/26)

AN ACT

To amend and reenact R.S. 37:1962, 1964(8), 1972(C), the introductory paragraph of 1973 (A)(1), and 1973(A)(2) and (C), and to enact R.S. 37:1968(C) and 1972(D), relative to scrap metal recycling; to provide for recordkeeping and reporting requirements for certain transactions; to provide for payment requirements for certain metal transactions; to provide for duties of operators; to provide for exemptions; to provide for definitions and terms; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1962, 1964(8), 1972(C), the introductory paragraph of 1973 (A)(1), and 1973(A)(2) and (C) are hereby amended and reenacted and R.S. 37:1968(C) and 1972(D) are hereby enacted to read as follows:

§1962. Definitions

As used in this Chapter, the following words shall have the meaning ascribed to them in this Section unless the context clearly indicates otherwise:

(1) **"Cable service provider" means any person or entity that provides cable service over a cable system and directly or through one or more affiliates owns a significant interest in that cable system, or who otherwise controls or is**

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responsible for, through any arrangement, the management and operation of that system.

(2) "Carrier" means any person who transports in a transport vehicle hazardous materials, freight, or passengers and includes a common, contract, or private carrier.

(3) "Common carrier" includes all persons engaged in the transportation of petroleum as public utilities and common carriers for hire; or which on proper showing may be legally held a common carrier from the nature of the business conducted, or from the manner in which such business is carried on.

(4) "Copper or brass material" means:

(a) A power inverter, bus bar, insulated or noninsulated copper wire or cable that contains copper or an alloy of copper and zinc, and that is of the type used by any of the following:

(i) Cable service provider.

(ii) Carrier.

(iii) Person responsible for the construction, maintenance, service, or operation of a pipeline.

(iv) Public utility.

(v) Telecommunications service provider.

(vi) Video service provider.

(b) Any copper or brass item of a type commonly used in construction or by a person listed in this Paragraph.

~~(2)~~**(5)** "Operator" means any person employed in responsible charge of operating ~~all or~~ any portion of a scrap metal recycling facility.

(6) "Pipeline" means flow, transmission, distribution, or gathering lines, regardless of size or length, which transmit or transport oil, gas, petrochemicals, minerals, or water in a solid, liquid, or gaseous state.

(7) "Public utility" means any business or organization that regularly supplies the public with a commodity or service, including electricity, gas,

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water, telephone, telegraph, radio, television, cable television, drainage, sewerage, and other like services.

(8) "Railroad track materials" means steel in the form of railroad tracks or in the form of rail, switch components, spikes, angle bars, tie plates, or bolts of the type used in constructing railroads, or any combination of such materials.

~~(3)~~**(9)** "Scrap metal" means metal materials which are purchased for resale to be recycled, including but not limited to ferrous materials, catalytic converters, auto hulks, copper, copper wire, copper alloy, bronze, zinc, aluminum other than in the form of cans, stainless steel, nickel alloys, or brass, whether in the form of bars, cable, ingots, rods, tubing, wire, wire scraps, clamps or connectors, railroad track materials, water utility materials, and used building components. The term shall not include precious metals, including but not limited to gold, silver, and platinum.

~~(4)~~**(10)** "Scrap metal recycling facility" means any physical entity that has the function of recycling scrap metal.

(11) "Telecommunications service" means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points. "Telecommunications service" includes the transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether the service is referred to as voice over internet protocol service or is classified by the Federal Communications Commission as an enhanced or value-added service.

~~(5)~~**(12)** "Used building component" means any object produced or shaped by human workmanship or tools that is an element of structural, architectural, archaeological, historical, ornamental, cultural, utilitarian, decorative, or sentimental significance or interest, which has been and may be used as an adjunct to or component or ornament of any building or structure, regardless of monetary worth, age, size, shape, or condition, that is immovable property, or fixtures or component parts of immovable property of any nature or kind whatsoever.

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(13) "Video service provider" means any entity providing video service programming through wireline facilities located at least in part in any public right-of-way without regard to delivery technology, including internet protocol technology.

~~(6)~~**(14)** "Water utility materials" shall include but not be limited to water meters, valves, pipes, and fittings.

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§1964. Exemptions

The provisions of this Chapter shall not apply to:

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(8) ~~The purchase of materials from any manufacturing, industrial, or other commercial vendor that generates the materials as a byproduct or recyclable waste or sells such materials in the ordinary course of its business.~~ **Business-to-business purchase of materials by an operator from either of the following:**

(a) Any licensed operator, scrap metal recycling facility, cable service provider, carrier, public utility company, telecommunications service provider, or video service provider.

(b) Any other manufacturing, industrial, or other commercial business, or its agent, that generates scrap metal in the ordinary course and scope of its business.

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§1968. Photographic and other records; exceptions

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C. In any transaction involving copper or brass material, every operator shall be required to obtain a photograph of the person selling or delivering the copper or brass material to the facility, a thumbprint of the person, the quality of which thumbprint shall be sufficient to identify the person, and a photocopy of the person's valid Louisiana driver's license, valid driver's license from another state, valid passport, military identification, or identification issued by

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a governmental agency or the United States Postal Service.

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§1972. Daily report of entries

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C. **In any transaction involving copper or brass material, every operator licensed pursuant to this Chapter shall, every day before the hour of twelve noon, transmit pictures of all copper or brass materials purchased during the previous day to an electronic database accessible by law enforcement.**

D. The operator shall have the responsibility of tendering the information provided for in Subsections A ~~and B~~**, B, and C** of this Section regardless of its use or nonuse by the chief of police in the city or town in which he is doing business or, alternatively, to the sheriff of the parish in which he is doing business. The tender of this information is a courtesy mandated by state law and which provides a benefit to the general public. The chief of police or sheriff shall not be mandated to take any particular action concerning the information tendered.

§1973. Payment by loadable payment card or check for copper **or brass materials**, aluminum-copper air conditioning coils, or other metals required; check cashing prohibited

A.(1) An operator shall not enter into any cash transactions in payment for the purchase of copper **or brass materials,** or aluminum-copper air conditioning coils. After five business days from the date of the transaction, payment for copper **or brass materials,** or aluminum-copper air conditioning coils shall be made in the form of a check made payable to the name and address of the seller of the copper **or brass materials,** or aluminum-copper air conditioning coils, or a loadable payment card and shall be tendered to the seller in any of the following manners:

* * *

(2) An operator shall not enter into any cash transactions in excess of three hundred dollars in payment for the purchase of metal property other than copper **or brass materials,** or aluminum-copper air conditioning coils. Payments in excess of

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three hundred dollars for metals other than copper **or brass materials,** or aluminum-copper air conditioning coils shall be made in the form of a check made payable to the name and address of the seller or a loadable payment card and may be tendered to the seller at the time of the transaction. The operator, at his discretion, may make payment by either cash or other method for transactions of three hundred dollars or less for all metals other than copper **or brass materials,** or aluminum-copper air conditioning coils.

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C. Pursuant to the provisions of this Section, if an operator makes a payment to the seller in the form of a check or loadable payment card, the operator shall require verification of the seller's identification by a **valid** driver's license or similar means ~~and shall require verification of the seller's address by a current utility bill. The operator shall retain a copy of such utility bill~~.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 496 Reengrossed 2026 Regular Session Connick

Present law provides for the licensure and regulation of scrap metal recyclers.

Present law provides for definitions.

Proposed law retains present law definitions and defines additional terms, including "cable service provider", "carrier", "common carrier", "copper or brass material", "operator", "pipeline", "public utility", "telecommunication service", and "video service provider".

Present law exempts from regulation certain persons and transactions, including certain dealers, nonprofit entities, permitted waste operators, pawnbrokers, and purchases of materials from commercial or industrial vendors generating such materials as a byproduct or recyclable waste in the ordinary course of business.

Proposed law retains present law exemptions and further clarifies that the exemptions includes business-to-business purchases of materials by an operator from certain specified licensed entities and service providers, as well as from commercial or industrial businesses, or their agents, that generate scrap metal in the ordinary course of business.

Present law requires each operator to obtain a photograph of any person selling or delivering scrap metal to the facility. In lieu of a photograph, the operator may obtain a thumbprint or a photocopy of valid identification. Further requires such records to be cross-referenced with

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the required ledger entry under present law, which shall be retained for at least one year, and made available to law enforcement within 24 hours upon request.

Present law requires each operator to obtain one or more photographs of all scrap metal purchased, with sufficient quality to identify the type of scrap metal, to be cross-referenced with the required ledger entry under present law and made available to law enforcement within 24 hours upon request.

Proposed law retains present law and requires that in any transaction involving copper or brass material, each operator obtain a photograph of the seller, a thumbprint sufficient to identify the person, and a photocopy of valid identification.

Present law requires each operator to produce and deliver to the appropriate law enforcement official, prior to 12:00 noon each day, a complete and legible copy of the previous day's transaction records and to submit such information to a database accessible by law enforcement. Further authorizes law enforcement to request personally identifiable information related to specific transactions and requires the operator to provide such information within 24 hours of the request.

Present law provides that the operator is responsible for transmitting the required information regardless of whether it is used by law enforcement and provides that law enforcement is not required to take any action based on the information received.

Proposed law retains present law and provides that in transactions involving copper or brass materials, prior to 12:00 noon each day, each operator shall transmit photographs of all such materials purchased during the previous day to an electronic database accessible by law enforcement.

Present law prohibits scrap metal recyclers from entering into cash transactions for copper and requires payment to be made by check issued to the seller and mailed to the address on the sellers identification no earlier than five business days after the transaction.

Present law prohibits cash transactions in excess of $300 for the purchase of metal property other than copper and requires such payment to be made by check, which may be tendered at the time of the transaction. Further provides that payments of $300 or less may be made by cash or other method at the operators discretion.

Present law requires that payments made by check or loadable payment card include verification of the seller's identification and address by providing a current utility bill and requires the operator to retain a copy of the current utility bill as proof of address.

Proposed law retains present law except expands the application of present law to include brass materials and removes the requirement that an operator verify the seller's address by a current utility bill.

Effective August 1, 2026.

(Amends R.S. 37:1962, 1964(8), 1972(C), 1973(A)(1)(intro para), (A)(2), and (C); adds R.S. 37:1968(C) and 1972(D))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Makes technical changes.

Senate Floor Amendments to engrossed bill

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1. Removes the exemption from regulation for contractors, plumbers, electricians, and HVAC service professionals.

2. Makes technical changes.

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