

RÉSUMÉ DIGEST

ACT 774 (SB 496)

2026 Regular Session

Connick

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

Existing law provides for definitions.

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

Prior law exempted the purchase of materials from any manufacturing, industrial, or other commercial vendor that generated the materials as a byproduct or recyclable waste or sold such materials in the ordinary course of its business.

New law exempt business-to-business purchase of materials by an operator from certain entities.

Existing law requires each operator to obtain a photograph of any person selling or delivering scrap metal to the facility or in lieu of a photograph, the operator may obtain a thumbprint or a photocopy of valid identification. Requires such records to be cross-referenced with the required ledger entry under existing law, which shall be retained for at least one year, and made available to law enforcement within 24 hours upon request.

Existing law requires each operator to obtain a photograph 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 existing law and made available to law enforcement within 24 hours upon request.

New law retains existing 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.

Existing 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. 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.

Existing 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.

New law retains existing 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.

Existing 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 seller's identification no earlier than five business days after the transaction.

Existing 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. Provides that payments of \$300 or less may be made by cash or other method at the operator's discretion.

Existing 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.

New law retains existing law except expands the application of existing 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))