

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2326

As Amended by Senate Committee on Judiciary

Brief*

HB 2326, as amended, would extend the sunset date on the Scrap Metal Theft Reduction Act from July 1, 2023, to July 1, 2028, and would specify “regulated scrap metal” under the Act includes catalytic converters, as defined by the bill.

The bill would also prohibit scrap metal dealers to make purchases from certain unauthorized sellers (as described by the bill), of any catalytic converter that has a defaced identification mark or owner-applied paint or identification number; or has been intentionally altered by removing or obliterating the make, model, or manufacturer’s number. The bill would also prohibit the unauthorized sale of any by-product or dust containing platinum, palladium, or rhodium under the Act.

The bill would also make technical amendments to ensure consistency in statutory phrasing.

Background

The bill was introduced by the House Committee on Judiciary at the request of a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association (law enforcement associations).

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Committee on Judiciary

In the House Committee hearing on February 16, 2023, a representative of the law enforcement associations described above and representatives of the Kansas Bureau of Investigation (KBI) and the Wichita Police Department testified as **proponents** of the bill. Proponents stated the bill is necessary to address the growing problem of catalytic converter theft occurring throughout the state. Written-only proponent testimony was provided by representatives of the Kansas Automotive Dealers Association, the Kansas Cooperative Council, and the National Insurance Crime Bureau. No other testimony was provided.

The House Committee amended the bill to add a definition of “catalytic converter.”

Senate Committee on Judiciary

In the Senate Committee hearing on March 14, 2023, **proponent** testimony from representatives of the KBI, Wichita Police Department, and law enforcement associations who provided testimony similar to the hearing before the House Committee. The representative of the Wichita Police Department requested an amendment regarding the purchase of catalytic converters by scrap metal dealers.

Written-only proponent testimony was provided by representatives of the Kansas Automobile Dealers Association, Kansas Cooperative Council, and AT&T Kansas; and a representative of the Kansas Grain and Feed Association, Renew Kansas Biofuels Association, and Kansas Agribusiness Retailers Association.

The Senate Committee amended the bill to prohibit scrap metal dealers from purchasing certain catalytic converters and by-products or dust containing certain precious metals.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KBI and the Office of the Attorney General indicate enactment of the bill would not have a fiscal effect.

Scrap Metal Theft Reduction Act; catalytic converters; by-product or dust; platinum; palladium; rhodium