

2021 Kansas Statutes

50-6,112c. Same; suspension or revocation; appeal. (a) The attorney general, upon five days notice to the persons holding a registration, may suspend the scrap metal dealer's registration for up to 30 days for any one of the following reasons:

- (1) The registrant has been found to have violated any of the provisions of the scrap metal theft reduction act, or any similar ordinance, resolution or rules or regulations;
- (2) the employment or continuation in employment of a person if the registered scrap metal dealer knows such person has, within the 24 months prior to the notice of suspension or revocation action, been found to have violated any of the provisions of the scrap metal theft reduction act, or the laws of another state comparable to such provisions, or any city or county ordinance or resolution, or regulation controlling scrap metal sale or purchase in Kansas or any other state; or
- (3) permitting any criminal activity under the Kansas criminal code, or similar ordinance, resolution or rules or regulations made by the board or city, as the case may be, in or upon the registrant's place of business.

(b) The attorney general may revoke the registration of a scrap metal dealer who has had its registration suspended three or more times within a 24-month period.

(c) The attorney general, upon five days' notice to the person holding the registration, shall revoke or suspend the registration for any one of the following reasons:

- (1) The registrant has fraudulently registered by knowingly giving materially false information on the registration form;
- (2) the registrant has become ineligible to obtain a registration under the scrap metal theft reduction act;
- (3) the nonpayment of any registration fees after receiving written notice that such registration fees are more than 30 days past due; or
- (4) the nonpayment of any civil penalty after receiving written notice that such penalty is more than 30 days past due.

(d) Any action brought under this section shall be brought individually against a single registrant's place of business and not against any other place of business registered by the same individual, company or business entity.

(e) Any person aggrieved by the decision of the attorney general to suspend or revoke a registration under this section may appeal such decision in accordance with rules and regulations promulgated by the attorney general to implement the scrap metal theft reduction act.

History: L. 2011, ch. 86, § 3; L. 2015, ch. 96, § 17; January 1, 2016.