

LSC 127 0073-5

**127th General Assembly
Regular Session
2007-2008**

Sub. S. B. No. 171

A B I L L

To amend sections 4727.01, 4727.08, 4727.11, 4737.01, 1
4737.04, and 4737.99 and to enact sections 2
4727.22, 4737.041, 4737.042, 4737.043, and 3
4737.044 of the Revised Code to make certain 4
changes to the laws regulating pawnbrokers, 5
secondhand dealers, and scrap metal dealers. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4727.01, 4727.08, 4727.11, 4737.01, 7
4737.04, and 4737.99 be amended and sections 4727.22, 4737.041, 8
4737.042, 4737.043, and 4737.044 of the Revised Code be enacted to 9
read as follows: 10

Sec. 4727.01. As used in this chapter: 11

(A) "Pawnbroker" means a person engaged in the business of 12
lending money on deposit or pledges of personal property, other 13
than securities, printed evidence of indebtedness, titles, deeds, 14
or bills of sale, at a total charge, rate of interest, or discount 15
or other remuneration in excess of eight per cent per annum, and 16
includes a person engaged in the business of purchasing personal 17
property from another person with an agreement that the personal 18
property will be made available to that other person for 19
repurchase within an agreed-to time period and for an amount 20
greater than the price originally paid to that other person for 21

the purchase of the personal property. 22

(B) "Superintendent of financial institutions" includes the 23
deputy superintendent for consumer finance as provided in section 24
1181.21 of the Revised Code. 25

(C) "Personal identification card" means a current and valid 26
driver's license, military identification card, state 27
identification card issued under sections 4507.50 to 4507.52 of 28
the Revised Code, or a state identification card issued by another 29
state on the condition that that card contains information 30
substantially similar to the information contained on a state 31
identification card issued under sections 4507.50 to 4507.52 of 32
the Revised Code and also contains a photograph of the person to 33
whom the card is issued. 34

Sec. 4727.08. (A) Every person licensed as a pawnbroker shall 35
keep and use separate pawn forms and purchase forms to be approved 36
by the superintendent of financial institutions. 37

(B) The licensee shall record on the appropriate form for 38
each pawn or purchase all of the following information: 39

(1) The date and time of the pledging or purchasing; 40

(2) The amount of the loan or the purchase price; 41

(3) The rate of interest and the charges to be paid on the 42
loan; 43

(4) The time within which the pledgor is to redeem the 44
pledged property; 45

(5) The name, age, and address of the pledgor or seller; 46

(6) ~~A driver's license number, military identification 47
number, or other personal identification number;~~ 48

~~(7)~~ A physical description of the pledgor or seller; 49

~~(8)~~(7) An accurate description of the pledged or purchased 50

property, including the name of the manufacturer, any serial and 51
model numbers, any identifying features, and any identifying 52
letters or marks; 53

~~(9)~~(8) Any other disclosures required by federal law. 54

(C) A licensee shall make a copy of the pledgor or seller's 55
personal identification card and shall attach that copy to the 56
form required under division (B) of this section. 57

(D) A copy of each form used in a pawn or purchase shall be 58
kept at all times in numerical order in an active or inactive 59
file, as appropriate, and the licensee shall account for all form 60
numbers. 61

~~(D)~~(E) The records and forms, at all times, shall be kept at 62
the licensed location and available for inspection by the 63
superintendent and by the chief of police of the municipal 64
corporation or township in which the licensee's place of business 65
is located or, if the place of business is not located within a 66
municipal corporation or a township that has a chief of police, by 67
the sheriff of the county in which the place of business is 68
located. Upon demand of any of them, the licensee shall produce 69
and show any records, forms, pledges, or purchases which are in 70
the licensee's possession. 71

~~(E)~~(F) Except in the case of a pledged motor vehicle, 72
watercraft, or outboard motor, the licensee shall keep all pledges 73
and purchases at the licensee's place of business unless a 74
pledgor, in writing, agrees otherwise at the time the pledge is 75
made. If the item pledged for the pawn loan is a motor vehicle, 76
watercraft, or outboard motor, the licensee shall take possession 77
of both the motor vehicle, watercraft, or outboard motor and the 78
certificate of title to the motor vehicle, watercraft, or outboard 79
motor and shall keep the certificate at the licensee's place of 80
business but, upon notification to the pledgor, may keep the motor 81

vehicle, watercraft, or outboard motor at a location other than 82
the licensee's place of business. No pledge shall be removed from 83
the place of business for the licensee's personal use or gain. 84

~~(F)~~(G) Every person licensed as a pawnbroker under this 85
chapter shall keep and use an intelligible set of books and 86
records in the English language in complying with this chapter 87
with respect to recording the details of each purchase or loan. 88
Except as provided in division ~~(J)~~(K) of this section, all 89
information required to be recorded by this chapter shall be 90
entered in a bound book or on loose-leaf, permanent forms used 91
exclusively for that purpose. Forms shall be identical and 92
consecutively numbered, and each shall contain two or more pages. 93
One part of each form shall be detachable and, when completed, 94
shall serve as the statement to be given by the licensee to the 95
pledgor or seller as provided by section 4727.07 of the Revised 96
Code, ~~the~~. The remaining part of the form shall be retained in the 97
licensee's permanent records. All forms shall be accounted for. 98

~~(G)~~(H) No licensee shall require a borrower to affix the 99
borrower's signature to a blank or partially filled out pawn form 100
or other record. 101

~~(H)~~(I) Every licensee shall preserve the licensee's books, 102
forms, accounts, and records for at least two years after making 103
the final entry regarding any purchase or pledge of property 104
recorded therein. 105

~~(I)~~(J) All pawn and purchase forms, legal notices, and 106
payment receipt forms shall reflect the name under which the 107
licensee is registered with the superintendent and the complete 108
address of the place of business. 109

~~(J)~~(K) Notwithstanding any other provision of this chapter, a 110
licensee may use other methods of recording data, keeping records, 111
and keeping books, such as electronic or computerized methods, in 112

lieu of the methods described in this section, provided written 113
printouts or hard copies of the required data are readily 114
available in a form approved, in advance, by the superintendent. 115

Sec. 4727.11. (A) If a pledgor fails to pay interest to a 116
person licensed as a pawnbroker on a pawn loan for two months from 117
the date of the loan or the date on which the last interest 118
payment is due, the licensee shall notify the pledgor by mail, 119
with proof of mailing, to the last place of address given by the 120
pledgor, that unless the pledgor redeems the pledged property or 121
pays all interest due and storage charges within thirty days from 122
the date the notice is mailed, the pledged property shall be 123
forfeited to the licensee. If the pledgor fails to redeem or pay 124
all interest due and storage charges within the period specified 125
in the notice, the licensee becomes the owner of the pledged 126
property. 127

(B) In the event that any article or property is redeemed by 128
a person other than the pledgor, the pledgor shall sign the 129
pledgor's copy of the statement required under section 4727.07 of 130
the Revised Code, which copy shall be presented by the person to 131
the licensee. The licensee shall verify the name of the person 132
redeeming the article or property, ~~and~~ shall record the person's 133
name ~~and driver's license number, or other personal identification~~ 134
~~number,~~ on the licensee's copy of the statement, ~~and~~ shall require 135
the person to sign this copy, shall make a copy of the person's 136
personal identification card, and shall attach that copy to the 137
licensee's copy of the statement. 138

(C) In the event that any articles or property pledged are 139
lost or rendered inoperable due to negligence of the licensee, the 140
licensee shall replace the articles or property with identical 141
articles or property, except that if the licensee cannot 142
reasonably obtain identical articles or property, the licensee 143

shall replace the articles or property with like articles or 144
property. 145

(D) When an account is paid in full, the licensee shall 146
return the pledged article immediately to the pledgor. In the 147
event the pledgor sells, transfers, or assigns the pledge, the 148
licensee shall verify the name of the person redeeming the pledge 149
and record that person's name, ~~driver's license number~~, and 150
signature on the permanent copy of the statement of pledge 151
required pursuant to section 4727.07 of the Revised Code and shall 152
make a copy of the person's personal identification card and 153
attach that copy to that statement. The licensee also shall obtain 154
the signature of the pledgor, or other person redeeming the 155
pledge, upon a separate record of the transaction, that 156
acknowledges the total dollar amount paid for redemption and the 157
date of redemption. All records shall be kept in the licensee's 158
place of business. 159

Sec. 4727.22. A licensee may use an electronic device that 160
decodes and records information contained in the metallic strip on 161
a personal identification card to record a person's name, address, 162
and photograph in lieu of making a copy of a person's personal 163
identification card to comply with the requirements of sections 164
4727.08 and 4727.11 of the Revised Code, on the condition that the 165
licensee retains that recorded information and makes it available 166
in accordance with the requirements to make copies available as 167
described in those sections. 168

Sec. 4737.01. (A) As used in this chapter, "personal 169
identification card" has the same meaning as in section 4727.01 of 170
the Revised Code. 171

(B) A person other than a scrap metal dealer, as defined in 172
section 4737.04 of the Revised Code, purchasing, selling, 173

exchanging, or receiving secondhand articles of any kind other 174
than special purchase articles as defined in section 4737.04 of 175
the Revised Code, scrap iron, ~~old~~ and scrap metal, ~~canvas, rope,~~ 176
~~branded bottles, junk or lead pipe, except plow irons, old stoves,~~ 177
~~and furniture,~~ shall post in a conspicuous place in or upon his 178
the person's shop, store, wagon, boat, or other place of business, 179
a sign having ~~his~~ the person's name and occupation legibly 180
inscribed thereon, and shall keep a separate record book, ~~open to~~ 181
~~inspection by any law enforcement officer, or electronic file in~~ 182
which shall be written, in the English language, at the time of 183
the purchase or exchange of such articles, a description thereof, 184
the name, description, and residence of the person from whom 185
purchased and received, and the day and ~~hour~~ time when such 186
purchase or exchange was made, and shall make and keep a copy of 187
the person's personal identification card. Every entry shall be 188
numbered consecutively, commencing with number one. 189

~~(B) Any person, prior to purchasing any secondhand article of~~ 190
~~furniture or secondhand electrical or gas appliance or equipment~~ 191
~~for the purpose of resale to the general public, shall demand to~~ 192
~~examine the seller's driver's or commercial driver's license or~~ 193
~~identification card issued under sections 4507.50 to 4507.52 of~~ 194
~~the Revised Code and one additional type of card typically used~~ 195
~~for identification purposes.~~ 196

~~The purchaser shall keep a written record of the number of~~ 197
~~the license or identification card and the type and number of the~~ 198
~~other identification card accepted together with the date of~~ 199
~~purchase, the name and address of the seller, and a description of~~ 200
~~the article purchased. The purchaser shall retain the written~~ 201
record book or electronic file and copies of personal 202
identification cards for at least one year after the purchase or 203
exchange date and shall make the record or file and copies 204
available for inspection by any law enforcement officer at all 205

~~reasonable times. For the purposes of this division, the purchaser 206
may utilize the written record he is required to keep where 207
applicable under division (A) of this section and add to it the 208
information required by this division. 209~~

Sec. 4737.04. (A) As used in this section and sections 210
4737.041, 4737.042, and 4737.043 of the Revised Code: 211

(1) "Scrap metal dealer" means a person who purchases or 212
receives scrap metal. 213

(2) "Special purchase article" means all of the following: 214

(a) Beer kegs; 215

(b) Cable, wire, electrical components, and other equipment 216
used in providing cable service or any utility service, including, 217
but not limited to, copper or aluminum coverings, housings, or 218
enclosures related thereto; 219

(c) Grave markers, sculptures, plaques, and vases made out of 220
metal, the appearance of which suggest that the articles have been 221
obtained from a cemetery; 222

(d) Guard rails for bridges, highways, and roads; highway and 223
street signs; street light poles and fixtures; manhole covers, 224
water meter covers, and other similar types of utility access 225
covers; traffic directional and control signs and light signals, 226
metal marked with the name of a political subdivision of the 227
state, and other metal articles that are purchased and installed 228
for use upon authorization of the state or any political 229
subdivision of the state; 230

(e) Historical, commemorative, and memorial markers and 231
plaques made out of metal; 232

(f) Four-wheel metal carts, commonly referred to as "grocery 233
carts," that are generally used by individuals to collect and 234
transport consumer goods while shopping; 235

(g) Four-wheel metal carts, commonly referred to as "metal bossies," that are used to transport or merchandise food products that are stored in crates, shells, or trays. 236
237
238

(3) "Common recycled matter" means bottles and other containers made out of steel, tin, or aluminum and other consumer goods that are metal that are recycled by individual consumers and not in the bulk or quantity that could be supplied or recycled by large business establishments. "Common recycled matter" does not include a metal tray used by a product producer, distributor, retailer, or agent of a product producer, distributor, or retailer as a means for the bulk transportation, storage, or carrying of retail containers of milk, baked goods, eggs, or bottled beverage products. 239
240
241
242
243
244
245
246
247
248

(4) "Consumer goods" has the same meaning as in section 1309.102 of the Revised Code. 249
250

(5) "Recyclable materials" means the metal materials described in division (B)(5) of this section, on the condition that those metal materials are not special purchase articles. 251
252
253

(6) "Motor vehicle" has the same meaning as in section 4501.01 of the Revised Code. 254
255

(B) Every scrap metal dealer ~~in scrap iron, metal, and waste materials~~ shall maintain a record book of records or electronic file, in which ~~he~~ the dealer shall keep an accurate and complete record of all articles purchased or received by ~~him~~ the dealer in the course of ~~his~~ the dealer's daily business. On and after the effective date of this amendment, every entry in the record book or electronic file shall be numbered consecutively. Every dealer shall maintain the record for each article purchased or received for a minimum period of one year after the date the dealer purchased or received the article. Said records shall contain all of the name, ~~description,~~ following: 256
257
258
259
260
261
262
263
264
265
266

(1) Name and residence of the person from whom said articles 267
were purchased or received and ~~the~~ a copy of that person's 268
personal identification card; 269

(2) ~~The date and hour when such purchases or exchange were~~ 270
made time the scrap metal dealer purchased or received the 271
articles; 272

(3) If the seller or provider of the articles arrives at the 273
dealer's place of business in a motor vehicle, the license plate 274
number of that motor vehicle along with the state that issued the 275
license plate; 276

(4) For metal articles that are not recyclable materials, a 277
full and accurate description of each article purchased or 278
received by the dealer that includes identifying letters or marks 279
written, inscribed, or otherwise included on the article and the 280
name and maker of the article if known; 281

(5) For recyclable materials that are not special purchase 282
articles, a scrap metal dealer shall use the following category 283
codes to identify the recyclable materials that the dealer 284
receives: 285

(a) "Number one copper," which includes clean copper pipe, 286
clean copper wire, or other number one copper that does not have 287
solder, paint, or coating; 288

(b) "Number two copper," which includes unclean copper pipe, 289
unclean copper wire, or other number two copper; 290

(c) "Sheet copper," which includes copper roofing, copper 291
gutters, copper downspouts, and other sheet copper; 292

(d) Insulated copper wire"; 293

(e) "Aluminum or copper radiators," which includes aluminum 294
radiators, aluminum copper radiators, and copper radiators; 295

(f) "Red brass," which includes red brass valves and other 296

<u>red brass;</u>	297
<u>(g) "Yellow brass," which includes yellow brass fixtures,</u>	298
<u>yellow brass valve and fitting, ornamental brass, and other yellow</u>	299
<u>brass;</u>	300
<u>(h) "Aluminum sheet";</u>	301
<u>(i) "Aluminum extrusions," which includes aluminum bleachers,</u>	302
<u>aluminum benches, aluminum frames, aluminum pipe, and other</u>	303
<u>aluminum extrusions;</u>	304
<u>(j) "Cast aluminum," which includes aluminum grills,</u>	305
<u>lawnmower decks made of aluminum, aluminum motor vehicle parts and</u>	306
<u>rims, and other cast aluminum;</u>	307
<u>(k) "Clean aluminum wire";</u>	308
<u>(l) "Unclean aluminum wire";</u>	309
<u>(m) "Aluminum exteriors," which includes aluminum siding,</u>	310
<u>aluminum gutters and downspouts, aluminum shutters, aluminum trim,</u>	311
<u>and other aluminum exterior items;</u>	312
<u>(n) "Contaminated aluminum";</u>	313
<u>(o) "Stainless steel," which includes, sinks, appliance</u>	314
<u>housing, dishes, pots, pans, pipe, and other items made out of</u>	315
<u>stainless steel;</u>	316
<u>(p) "Large appliances," which includes consumer and other</u>	317
<u>appliances;</u>	318
<u>(q) "Miscellaneous steel," which includes steel grates, steel</u>	319
<u>farm machinery, steel industrial machinery, steel motor vehicle</u>	320
<u>frames, and other items made out of steel;</u>	321
<u>(r) "Sheet irons," which includes bicycles, motor vehicle</u>	322
<u>body parts made of iron, and other items made using sheet iron;</u>	323
<u>(s) "Motor vehicle nonbody parts," which includes motor</u>	324
<u>vehicle batteries, radiators, and other nonbody motor vehicle</u>	325

parts; 326

(t) "Catalytic converters"; 327

(u) "Lead"; 328

(v) Electric motors." 329

(C) All journal brasses, and other railroad metals, other 330
than purchases and sales under sections 4973.13 to 4973.16 331
~~inclusive~~, of the Revised Code, shall be held by the dealer for a 332
period of thirty days after being purchased or acquired. 333

~~Such~~ (D) The records required under division (B) of this 334
section shall be open for inspection by the representative of any 335
law enforcement agency ~~at~~ and the director of public safety or the 336
director's designated representative during all business hours. A 337
scrap metal dealer shall provide a copy of those records to any 338
law enforcement agency that requests the records or to the 339
director or director's representative, upon request. Records 340
submitted to any law enforcement agency pursuant to this section 341
are not public records for purposes of section 149.43 of the 342
Revised Code. A person who claims to own a stolen article that may 343
be identified in those records, or an agent of that person, who 344
provides proof of having filed a stolen property report with the 345
appropriate law enforcement agency, may request those records. The 346
law enforcement agency shall provide those records upon a request 347
made by such a person or that person's agent, but the law 348
enforcement agency shall redact information that reveals the name 349
of the seller of any article and the price the dealer paid for any 350
article the dealer purchased or the estimated value of any article 351
the dealer received. The law enforcement agency shall determine 352
which records to provide, based upon the time period that the 353
alleged theft is reported to have taken place. A law enforcement 354
agency may charge or collect a fee for providing records as 355
required by this section. 356

(E) No scrap metal dealer shall purchase or receive any metal articles from a person who refuses to show the dealer the person's personal identification card. 357
358
359

The law enforcement agency that serves the jurisdiction in which a scrap metal dealer is located shall provide a list, as that agency determines appropriate, of the names and descriptions of persons known to be or who are suspected to be thieves or receivers of stolen property. No scrap metal dealer shall purchase or receive articles from any person identified on the list the dealer receives from the law enforcement agency. 360
361
362
363
364
365
366

No scrap metal dealer shall purchase or receive any special purchase articles from any person who is under eighteen years of age. 367
368
369

No scrap metal dealer shall purchase or receive any special purchase article without complying with division (B) of this section and divisions (B) and (C) of section 4737.041 of the Revised Code. 370
371
372
373

No scrap metal dealer shall purchase or receive more than one catalytic converter per day from the same person. 374
375

(F) Every scrap metal dealer shall post a notice in a conspicuous place on the dealer's premises notifying persons who may wish to transact business with the dealer of the penalties applicable to any person who does any of the following: 376
377
378
379

(1) Provides a false personal identification card to the dealer; 380
381

(2) With purpose to defraud, provides any other false information to the dealer in connection with the dealer's duty to maintain the records required under division (B) of this section; 382
383
384

(3) Commits a theft as described in section 2913.02 of the Revised Code. 385
386

Sec. 4737.041. A scrap metal dealer shall do all of the 387
following with respect to each special purchase article the scrap 388
metal dealer purchases or receives: 389

(A) Comply with the requirements of this section in addition 390
to complying with the requirements of section 4737.04 of the 391
Revised Code; 392

(B) Take a photograph of each special purchase article; 393

(C) Obtain from the seller or provider of the special 394
purchase article proof that the seller or provider owns the 395
special purchase article; 396

(D) If payment is rendered for the special purchase articles, 397
issue a check for the purchase of the special purchase articles; 398
399

(E) Withhold payment for the purchase of the special purchase 400
articles for a period of two days after the day the special 401
purchase articles are purchased; 402

(F) If an asserted owner of stolen special purchase articles 403
or that owner's agent provides proof of having filed a stolen 404
property report with the appropriate law enforcement agency, make 405
records describing special purchase articles the scrap metal 406
dealer purchased or received after the alleged date of theft 407
available for inspection to the asserted owner or owner's agent 408
for a period of six months after the alleged date of theft of the 409
articles, except that the scrap metal dealer shall withhold the 410
name of the person from whom the special purchase articles were 411
purchased or received and the amount paid for the special purchase 412
articles. 413

Sec. 4737.042. A scrap metal dealer and a person who 414
purchases, sells, exchanges, or receives secondhand articles may 415
use an electronic device that decodes and records information 416

contained in the metallic strip on a personal identification card 417
to record a person's name, address, and photograph in lieu of 418
making a copy of a person's personal identification card to comply 419
with the requirements of sections 4737.01, 4737.04, and 4737.041 420
of the Revised Code, on the condition that the dealer or person 421
retains that recorded information and makes it available in 422
accordance with the requirements to make copies available under 423
those sections. 424

Sec. 4737.043. Sections 4737.04 and 4737.041 of the Revised 425
Code do not apply with respect to any of the following: 426

(A) The donation of articles to nonprofit organizations or to 427
any other person, on the condition that the person donating the 428
articles receives no payment or any other valuable consideration 429
in exchange for or due to donating the articles; 430

(B) The sale or donation of common recycled matter; 431

(C) Sales transacted between a scrap metal dealer and an 432
organization that is exempt from federal taxation under section 433
501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 285, 434
26 U.S.C. 501(c)(3), as amended, and that collects, for its own 435
fundraising purposes, scrap ferrous and nonferrous metals for 436
recycling rather than disposal; 437

(D) Sales transacted between a scrap metal dealer and a 438
government unit or another business, including a demolition 439
company, public utility company, or another scrap metal dealer, on 440
the condition that the government unit or business satisfies the 441
following criteria: 442

(1) In the course of providing the government unit's or 443
business's services to others or maintaining the government unit's 444
or business's property, whether onsite or offsite, the government 445
unit or business generates scrap ferrous and nonferrous metals for 446

recycling rather than disposal. 447

(2) If a government unit, reference to the government unit as a bona fide unit of government can be readily found by the public. 448
449

(3) If the sales transaction involves a business, the business satisfies one of the following criteria: 450
451

(a) The business is registered with the secretary of state. 452

(b) The business advertises its services in a newspaper of general circulation, a telephone book, electronic media that is available to the public, or some other type of media that is owned and operated by a person other than the business. 453
454
455
456

(4) The government unit provides proof of compliance with division (D)(2) of this section or the business provides proof of compliance with division (D)(3) of this section to the scrap metal dealer with whom the government unit or business transacts business. 457
458
459
460
461

(E) Sales transacted between a scrap metal dealer and a person whose primary business is to create products that result in bulk quantities of ferrous and nonferrous metal used for recycling rather than disposal. 462
463
464
465

Sec. 4737.044. By analogy to *Am. Financial Servs. Assn. et al. v. Cleveland*, 112 Ohio St. 3d 170, 2006-Ohio-6043, citing *Canton v. State*, 95 Ohio St. 3d 149, 2002-Ohio-2005, syllabus, sections 4737.01 to 4737.043 of the Revised Code are intended as a comprehensive legislative enactment operating uniformly throughout this state, setting forth regulations concerning the purchase and sale of scrap metal, and prescribing a rule of conduct upon citizens generally. To assure uniform statewide scrap metal purchasing practices, no municipal corporation or other political subdivision shall enact or enforce any regulation or ordinance regulating the purchase or sale of scrap metal by a scrap metal 466
467
468
469
470
471
472
473
474
475
476

dealer or that is in conflict with or in derogation of sections 477
4737.01 to 4737.043 of the Revised Code. 478

Sec. 4737.99. (A) Except as specified in ~~division~~ divisions 479
(B) and (C) of this section, whoever violates sections 4737.01 to 480
4737.11 of the Revised Code, shall be fined not less than 481
twenty-five nor more than one thousand dollars and the costs of 482
prosecution. 483

(B) Whoever violates division (F)(2) of section 4737.10 of 484
the Revised Code is guilty of a misdemeanor of the fourth degree. 485

(C) Whoever violates division (E) of section 4737.04 of the 486
Revised Code is guilty of a misdemeanor of the first degree. 487

Section 2. That existing sections 4727.01, 4727.08, 4727.11, 488
4737.01, 4737.04, and 4737.99 of the Revised Code are hereby 489
repealed. 490

Section 3. During the first year of the 129th General 491
Assembly, the President of the Senate or Speaker of the House of 492
Representatives shall initiate creation of a joint select 493
committee of the Senate and House of Representatives for the 494
purpose of considering the effectiveness of this act in deterring 495
crime and the costs of complying with this act to industries 496
affected by this act. The President of the Senate and Speaker of 497
the House of Representatives shall create the joint select 498
committee in accordance with the Joint Rules of the Senate and 499
House of Representatives for the 129th General Assembly for 500
creation of a joint select committee. 501

The joint select committee shall hold public hearings at 502
which time representatives of the Ohio Municipal League, the Ohio 503
Prosecuting Attorneys Association, and the Ohio Sheriff's 504
Association; representatives of the scrap metal recycling 505
industry; and other interested parties may present testimony on 506

the affect of this act on metals theft rates, theft deterrence, 507
criminal enforcement and prosecution, and economic and 508
administrative burdens on industry. The joint select committee 509
shall provide advance notice of its hearings to, and shall solicit 510
comments in advance of those hearings from, the Ohio Municipal 511
League, Ohio Prosecuting Attorneys Association, Ohio Sheriff's 512
Association, representatives of the scrap metal recycling 513
industry, and other interested parties that the joint select 514
committee determines should receive notice. 515

The joint select committee shall issue a report summarizing 516
the effectiveness and impacts of this act and submit the report to 517
the President of the Senate and Speaker of the House of 518
Representatives. The Legislative Service Commission shall assist 519
the joint select committee in preparing and finalizing the report 520
required by this section. 521