



738224

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/23/2012	.	
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The Committee on Community Affairs (Thrasher) recommended the following:

Senate Amendment (with title amendment)

Delete lines 321 - 322
and insert:
regulated metals property listed in s. 538.26(5)(b) the sale of
which is restricted as provided in s. 538.26(5)(a).

Between lines 490 and 491
insert:
Section 7. Subsection (1) of section 538.25, Florida
Statutes, is amended to read:
538.25 Registration.—



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13 (1) A ~~No~~ person may not shall engage in business as a

14 secondary metals recycler at any location without registering

15 with the department. The department shall accept applications

16 only from a fixed business address. The department may not

17 accept an application that provides an address of a hotel or

18 motel room, a vehicle, or a post office box.

19 (a) A fee equal to the federal and state costs for

20 processing required fingerprints must be submitted to the

21 department with each application for registration. One

22 application is required for each secondary metals recycler. If a

23 secondary metals recycler is the owner of more than one

24 secondary metals recycling location, the application must list

25 each location, and the department shall issue a duplicate

26 registration for each location. For purposes of subsections (3),

27 (4), and (5), these duplicate registrations shall be deemed

28 individual registrations. A secondary metals recycler shall pay

29 a fee of \$6 per location at the time of registration and an

30 annual renewal fee of \$6 per location on October 1 of each year.

31 All fees collected, less costs of administration, shall be

32 transferred into the Operating Trust Fund.

33 (b) The department shall forward the full set of

34 fingerprints to the Department of Law Enforcement for state and

35 federal processing, provided the federal service is available,

36 to be processed for any criminal justice information as defined

37 in s. 943.045. The cost of processing such fingerprints shall be

38 payable to the Department of Law Enforcement by the department.

39 The department may issue a temporary registration to each

40 location pending completion of the background check by state and

41 federal law enforcement agencies, but shall revoke such



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42 temporary registration if the completed background check reveals
43 a prohibited criminal background. The Department of Law
44 Enforcement shall report its findings to the Department of
45 Revenue within 30 days after the date fingerprint cards are
46 submitted for criminal justice information.

47 (c) An applicant for a secondary metals recycler
48 registration must be a natural person who has reached the age of
49 18 years or a corporation organized or qualified to do business
50 in the state.

51 1. If the applicant is a natural person, the registration
52 must include a complete set of her or his fingerprints,
53 certified by an authorized law enforcement officer, and a recent
54 fullface photographic identification card of herself or himself.

55 2. If the applicant is a partnership, all the partners must
56 make application for registration.

57 3. If the applicant is a corporation, the registration must
58 include the name and address of such corporation's registered
59 agent for service of process in the state and a certified copy
60 of statement from the Secretary of State that the corporation is
61 duly organized in the state or, if the corporation is organized
62 in a state other than Florida, a certified copy of the statement
63 that the corporation is duly qualified to do business in this
64 state.

65 Delete line 518

66 and insert:

67 (4) Purchase regulated metals property from a seller who:

68 (a) Uses a name other than his or her own name or the
69 registered name of the seller's business;
70



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- 71 (b) Is younger than 18 years of age; or
- 72 (c) Is under the influence of drugs or alcohol, if such
- 73 condition is visible or apparent.
- 74 (5)(a) Purchase any restricted regulated metals property
- 75

76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78 Between lines 32 and 33

79 insert:

80 538.25, F.S.; requiring the Department of Revenue to
81 accept applications from a fixed business address;
82 prohibiting the department from accepting an
83 application that provides an address from a hotel or
84 motel room, a vehicle, or a post office box; amending
85 s.

86 Delete line 36

87 and insert:

88 specified times or from certain locations; prohibiting
89 the purchase of regulated metal property from a seller
90 who uses a name other than his or her own name or the
91 registered name of the business, is younger than 18
92 years of age, or is under the influence of drugs or
93 alcohol, if such a condition is visible or apparent;
94 prohibiting