



NORTH CAROLINA GENERAL ASSEMBLY

ADOPTED AMENDMENT
House Bill 199

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H199-ARV-33 [v.2]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [NO]
Third Edition

Date June 11, 2012

Senator Daniel

- 1 moves to amend the bill on page 8, line 43 by deleting "Article" and substituting "Part";
- 2
- 3 And on page 9, line 11 by adding at the end of that line the following:
- 4 "The term shall not include precious metals as defined and regulated in Part 2 of this Article.";
- 5
- 6 And on page 9, lines 33-38 by rewriting those lines to read:
- 7 "(b) Records Required. – A secondary metals recycler shall maintain a record of all
- 8 purchase transactions in which the secondary metals recycler purchases regulated metals
- 9 property. The record of each transaction shall contain the following information:";
- 10
- 11 And on page 9, line 39 through page 10, line 36 by renumbering sub-subdivisions a. through k.
- 12 as subdivisions (1) through (11);
- 13
- 14 And on page 10, lines 21-22 by deleting the sentence "A video or digital photograph of the
- 15 seller together with the seller's vehicle and the regulated metals property.", and by substituting
- 16 the following: "A video or digital photograph of the seller together with the regulated metals
- 17 property being delivered by the seller."
- 18
- 19 And on page 11, lines 22-32 by rewriting those lines to read:
- 20 "(b) Retention of Nonferrous Metals. –Any secondary metals recycler owner convicted
- 21 of a felonious violation of this Article, G.S. 14-71, 14-71.1, or 14-72 shall hold and retain
- 22 nonferrous metals for seven days from the date of purchase before selling, dismantling,
- 23 crushing, defacing, or in any manner altering or disposing of the regulated metals property."
- 24
- 25 And on page 12, line 26 and again on line 27 by deleting "fifty dollars (\$50.00)" and
- 26 substituting "one hundred dollars (\$100.00)";
- 27
- 28 And on page 13, line 18 by inserting after the word "Part" and before the comma the following:
- 29 "within a 10 year period";
- 30
- 31 And on page 14, lines 17-26 by rewriting those lines to read:



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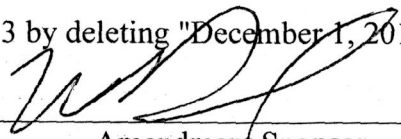
ADOPTED

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(1) Default. – In the case of direct injury to property, the court shall in its discretion make a determination as to the dollar amount of property damage caused by the defendant's violation of this section. The court may consider the loss in value of the property, the amount of repairs necessary to return the property to its condition before the violation, and the replacement cost (including fixtures or improvements). If the amount of property damage is one thousand dollars (\$1,000) or less, a violation shall be punishable as a Class 1 misdemeanor. If the applicable amount is more than one thousand dollars (\$1,000) but less than ten thousand dollars (\$10,000), a violation shall be punishable as a Class H felony. If the applicable amount is ten thousand dollars (\$10,000) or more, a violation shall be deemed an aggravated offense and shall be punishable as a Class F felony.";

And on Page 14, line 50 through page 15, line 2 by rewriting those lines to read:
"SECTION 32. Pawnbroker licenses and permits to engage as a dealer in the business of purchasing precious metals that are valid on the effective date of this act shall continue in force until the natural expiration thereof, unless otherwise revoked or suspended in accordance with applicable law.";

And on page 15, line 3 by deleting "December 1, 2012" and substituting "October 1, 2012".

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 47-0 FAILED _____ TABLED _____
Sarah Clapp
6.12.11