

AN ACT concerning business.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Recyclable Metal Purchase Registration Law is amended by changing Sections 2, 4.1, and 4.3 as follows:

(815 ILCS 325/2) (from Ch. 121 1/2, par. 322)

Sec. 2. Definitions. When used in this Act:

"Burned wire" means any coated metal wire that has been smelted, burned, or melted, thereby removing the protective coating or the manufacturer's or owner's identifying marks.

"Catalytic converter" means a post-combustion device that oxidizes hydrocarbons and carbon monoxide gases or reduces oxides of nitrogen and that is designed or intended for use as part of an emission control system. As used in this Section, "catalytic converter" includes nonferrous parts, including rhodium, platinum, and palladium.

"Detached catalytic converter" means a catalytic converter that was previously installed on a motor vehicle and subsequently removed.

"Recyclable metal" means any copper, brass, or aluminum, or any combination of those metals, or any catalytic converter or its contents purchased by a recyclable metal dealer, irrespective of form or quantity, except that "recyclable

metal" does not include: (i) items designed to contain, or to be used in the preparation of, beverages or food for human consumption; (ii) discarded items of non-commercial or household waste; (iii) gold, silver, platinum, and other precious metals used in jewelry; or (iv) vehicles, junk vehicles, vehicle cowl, or essential vehicle parts. "Recyclable metal" includes copper, brass, aluminum, or any combination of those metals found in telecommunications wire or in any other equipment used to provide (i) telecommunications services, as described in Section 13-203 of the Public Utilities Act, or (ii) broadband service, interconnected VoIP services, or wireless services, as described in Section 13-804 of the Public Utilities Act.

"Recyclable metal dealer" means any individual, firm, corporation or partnership conducting activity within the boundaries of the State of Illinois and engaged in the business of purchasing and reselling recyclable metal either at a permanently established place of business or in connection with a business of an itinerant nature, including junk shops, junk yards, or junk stores, except that "recyclable metal dealer" does not include automotive parts recyclers, scrap processors, repairers and rebuilders licensed pursuant to Section 5-301 of the Illinois Vehicle Code. Recyclable metal dealers shall not be engaged in the business of purchasing or reselling vehicles, junk vehicles, vehicle cowl, or essential vehicle parts.

"Telecommunications wire" means (i) wire used in a wireline communications network facility or (ii) wire used in a wireless communications network facility, fiber, copper cable sheathed, or twisted-pair wire without sheathing. "Telecommunications wire" includes tower, antennae, bus bar, copper ground support structures, burned wire, and all associated aerial or ground-based cable lines or equipment used as part of a wireline or wireless telecommunications or broadband network.

(Source: P.A. 102-906, eff. 5-27-22; 103-677, eff. 1-1-25.)

(815 ILCS 325/4.1)

Sec. 4.1. Restricted purchases.

(a) It is a violation of this Act for any person to possess, purchase, attempt to purchase, sell or attempt to sell, or for any recyclable metal dealer to purchase or attempt to purchase, any of the following:

(1) materials that are clearly marked as property belonging to a business or someone else other than the seller;

(2) property associated with use by governments, utilities, or railroads including, but not limited to, guardrails, manhole covers, electric transmission and distribution equipment, including transformers, grounding straps, wires or poles, historical markers, street signs, traffic signs, sewer grates, or any rail, switch

component, spike, angle bar, tie plate, or bolt of the type used in constructing railroad track;

(3) cemetery plaques or ornaments; ~~or~~

(4) any catalytic converter or its contents not attached to a motor vehicle at the time of the transaction unless the seller is licensed as an automotive parts recycler or scrap processor; or

(5) telecommunications wire in any amount unless the seller is an authorized agent, a representative, an employee, or a licensed contractor of a public utility, a provider of telecommunications services as described in Section 13-203 of the Public Utilities Act, or a provider of broadband service, interconnected VoIP services, or wireless services as described in Section 13-804 of the Public Utilities Act.

(b) (Blank).

(Source: P.A. 102-906, eff. 5-27-22; 103-677, eff. 1-1-25.)

(815 ILCS 325/4.3)

Sec. 4.3. Purchases of copper and telecommunications wire.
A recyclable metal dealer shall not pay cash in payment for any copper, including copper tubing or wiring, or telecommunications wire having a value of \$100 or more. Payment for these materials must be made as follows:

(1) by check or money order;

(2) the payee on the check or money order shall be the

same person as the seller who conducted the transaction;

(3) if the seller is a business, then the recyclable metal dealer shall make the check or money order payable to the company, and not to any individual employee or agent of the company.

(Source: P.A. 97-923, eff. 1-1-13.)