



# COUNTY OF SAN DIEGO

## BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

### AGENDA ITEM

**DATE:** June 24, 2008

**TO:** Board of Supervisors

**SUBJECT:** SUPPORT FOR SENATE BILL 691 (CALDERON & ANDERSON)  
(ALL DISTRICTS)

#### SUMMARY:

##### **Overview:**

In the past, the County of San Diego has supported actions to toughen laws for metal theft in California. On October 24, 2006, the Board of Supervisors took action to send a letter to all mayors in the County urging them to remind recyclers in their areas of the state requirements to keep written records of goods they receive. On May 15, 2007, the Board took action to unanimously support Assembly Bill 844 (Berryhill), which would place stricter requirements for scrap-metal dealers and recyclers buying metal.

Senate Bill 691, by Senator Calderon and principal coauthor Assemblyman Anderson, also places stricter requirements for scrap-metal dealers and recyclers, including securing increased identification of both the seller and the material being sold, monthly and weekly reporting to local law enforcement, and payments will be made by check to a seller after a three day waiting period.

Unlike AB 844, SB 691 does not contain language that allows local governments to implement greater consumer protection than the state law requires. Today's action would put the Board of Supervisors on record in support of SB 691 and seeks that the measure be amended to allow local government to supplement the State's requirement.

##### **Recommendation(s):**

##### **SUPERVISOR COX AND SUPERVISOR VICE CHAIRWOMAN JACOB**

1. Direct the Chief Administrative Officer (CAO) to draft a letter for the Chairman's signature to Senator Calderon, Assemblyman Anderson and all members of the San Diego delegation expressing the Board's "Support And Seek Amendment" position on Senate Bill 691; and in the letter, propose that Senate Bill 691 be amended to provide authority for local governments to grant greater consumer protections than the state law.
2. Direct the CAO to communicate this Board of Supervisors' "Support And Seek

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Amendment” position on Senate Bill 691 to San Diego County’s Legislative Representative in Sacramento.

3. Direct the CAO to include this action in the Board’s Legislative Program.

**Fiscal Impact:**

There is no fiscal impact associated with these recommendations.

**Business Impact Statement:**

N/A

**Advisory Board Statement:**

N/A

**BACKGROUND:**

In the past, the County of San Diego has supported actions to toughen laws for metal theft in California. On October 24, 2006, the Board of Supervisors took action to send a letter to all mayors in the County urging them to remind recyclers in their areas of the state requirements to keep written records of goods they receive. On May 15, 2007, the Board took action to unanimously support Assembly Bill 844 (Berryhill) which would place stricter requirements for scrap-metal dealers and recyclers buying metal.

Senate Bill 691, by Senator Calderon and principal coauthor Assemblyman Anderson, also places stricter requirements for scrap-metal dealers and recyclers, including securing increased identification of both the seller and the material being sold, monthly and weekly reporting to local law enforcement, and payments will be made by check to a seller after a three day waiting period.

Due to rising prices for metals such as copper and bronze, metal theft has significantly increased throughout San Diego County. Any metal that is easy to steal and sell is attractive for a thief. Urns at cemetery gravesites, manhole covers on local streets, and even catalytic converters from cars and trucks are easy targets for thieves. Current law requires recyclers and scrap-metal dealers to keep a written record of all items sold and also have the ability to properly identify the seller. However, SB 691 would add further requirements which are desperately needed.

SB 691 calls for required thumbprints for every transaction and payments are to be made by check three days after the transaction. SB 691 also requires a valid ID to be recorded and photo or video for every transaction. Further, there are extra fines for those who violate the law and the third offense by a recycler or scrap-metal dealer results in the loss of their license for a year.

Because current laws for the sale of junk metal are inadequate, it is attractive for thieves seeking quick money with a low risk of penalty to steal metal. Typically the cost to replace metal that is stolen far outweighs what it is sold for. A 6-foot bronze hawk valued at \$16,000 was stolen from a private park and sold for a mere \$198. Further, at times, lives are at stake. Recently, a thief was killed while trying to cut a live power line in order to steal copper. It is critical that laws governing the sale of junk metal are toughened.

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Senate Bill 691 would help to stop the quick sale of metals like copper and bronze, and give law enforcement the tools necessary to catch thieves. It would also make scrap-metal dealers and recyclers liable for the metals they buy. Today's action puts the County of San Diego on record supporting Senate Bill 691 and seeks that the measure be amended to provide authority for local governments to grant greater consumer protections than the state law.

We urge your support.

Respectfully submitted,

GREG COX  
Supervisor, First District

DIANNE JACOB  
Supervisor, Second District

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**AGENDA ITEM INFORMATION SHEET**

**CONCURRENCE(S)**

<b>COUNTY COUNSEL REVIEW</b>	<input checked="" type="checkbox"/> Yes	
Written Disclosure per County Charter Section 1000.1 Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>GROUP/AGENCY FINANCE DIRECTOR</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
<b>CHIEF FINANCIAL OFFICER</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
Requires Four Votes	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
<b>COUNTY TECHNOLOGY OFFICE</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
<b>DEPARTMENT OF HUMAN RESOURCES</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A

**Other Concurrence(s):** N/A

**ORIGINATING DEPARTMENT:** District 1  
District 2

**CONTACT PERSON(S):**

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