

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1971



ENROLLED

*Committee Substitute
for*

HOUSE BILL No. 586

*Originating in the Committee
(By Mr. on the Judiciary)*



PASSED March 13 1971

In Effect ninety days from Passage



586

FILED IN THE OFFICE
JOHN D. ROCKWELL, IV
SECRETARY OF STATE
THIS DATE 4-2-71

ENROLLED
COMMITTEE SUBSTITUTE
FOR
House Bill No. 586

(Originating in the Committee on the Judiciary)

[Passed March 13, 1971; in effect ninety days from passage.]

AN ACT to amend and reenact section forty-nine, article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the purchase of copper wires, cables, copper trolley wire, aluminum wire, brass bearings or fittings, mercury or lead by junk dealers; requiring the keeping of records in connection therewith; requiring proof of ownership in connection therewith; and providing criminal penalties.

Be it enacted by the Legislature of West Virginia:

That section forty-nine, article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. CRIMES AGAINST PROPERTY.

§61-3-49. Purchase of copper wire, etc., by junk dealers; penalty.

1 Any junk dealer purchasing copper wires, cables,
2 copper trolley wire, aluminum wire, brass bear-
3 ings or fittings, mercury or lead from any person, firm
4 or corporation, shall accurately list such purchase in a
5 permanent record showing the kind and character of
6 junk purchased, date of purchase and from whom pur-
7 chased, which record shall be open to the inspection of
8 all law-enforcement officers.

9 It shall be unlawful for any junk dealer to purchase
10 any of the items hereinbefore mentioned without secur-
11 ing from the seller a bill of sale, receipt or other proof
12 of lawful ownership, which shall be retained by such
13 dealer, and such dealer shall list in a record book the
14 full name and address of the seller, a complete descrip-

15 tion of the kind and character of the junk or material
16 purchased, the hour and day purchased, and the license
17 number of any automobile or truck which may be used
18 in making delivery of such junk or materials, which
19 record shall be open to the inspection of all law-enforce-
20 ment officers, and be preserved for a period of not less
21 than one year.

22 Every nonresident junk dealer, before transporting
23 from the state any of the items hereinbefore mentioned,
24 shall file with the sheriff of the county where such pur-
25 chase was made a complete description of the property he
26 proposes to transport from the state, showing the date
27 of purchase, the names of the buyer and seller, the party
28 to whom consigned, and the license number of any auto-
29 mobile or truck which may be employed in transporting
30 such junk or materials hereinbefore mentioned.

31 Any person who shall violate any of the provisions of
32 this section shall be guilty of a misdemeanor, and, upon
33 conviction before any justice of the peace or court of
34 competent jurisdiction, shall be fined not less than one
35 hundred nor more than five hundred dollars.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Russell H. Beall
Chairman Senate Committee

Phyllis J. Rutledge
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

E. Hanson Court
President of the Senate

Lewis N. McManus
Speaker House of Delegates

The within approved this the 1st
day of April, 1971.

Arch A. Shreve Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/22/71

Time 3:10 p.m.

RECEIVED
SECRETARY OF STATE
STATE OF WEST VIRGINIA

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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA