

# HB482 INTRODUCED



1 HB482  
2 HGHCB88-1  
3 By Representatives Wadsworth, Whorton  
4 RFD: Economic Development and Tourism  
5 First Read: 19-Feb-26



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SYNOPSIS:

Under existing law, all secondary metals recyclers are required to maintain a record of all purchase transactions of ferrous and nonferrous metals to which the recycler is a party, and must report the information to the Alabama Criminal Justice Information Center into a database on the day of a purchase transaction.

Also under existing law, it is unlawful for a person to damage or destroy certain enumerated types of property commonly subject to recycling by secondary metals recyclers. It is also unlawful to possess or control the property if the property has been stolen.

This bill would provide certain minimum periods of incarceration for violations and would also add certain types of copper wire within the list of protected property.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to crimes and offenses; to amend Sections



## HB482 INTRODUCED

29 13A-8-36, 13A-8-37, 13A-8-37.1, and 13A-8-37.4, Code of  
30 Alabama 1975, to further provide for thefts involving  
31 secondary metals; to provide additional requirements of  
32 persons engaged in the sale and recycling of certain secondary  
33 metals; to provide certain requirements for the recycling of  
34 certain types of copper; and to further provide for certain  
35 penalties for violations.

36 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

37 Section 1. Sections 13A-8-36, 13A-8-37, 13A-8-37.1, and  
38 13A-8-37.4, Code of Alabama 1975, are amended to read as  
39 follows:

40 "§13A-8-36

41 (a) It is unlawful for a person with the intent to  
42 damage property and having no right to do so, or any  
43 reasonable ground to believe that he or she has such a right,  
44 to damage~~damages~~ or ~~destroys~~destroy any of the following:

45 (1) Telecommunications, cable communications, or an  
46 electric power transmission pedestal or pole owned or operated  
47 by a telecommunications, cable, or electric power company or  
48 cooperative, ~~or an~~ electric power supplier, or a railroad.

49 (2) Telecommunications, cable communications, or  
50 electric power grounding or any other equipment or materials  
51 used in the delivery of electricity, wire, fiber insulator,  
52 power supply transformer, ground wire, or other apparatus,  
53 equipment, or fixture used in the transmission of  
54 telecommunications, cable communications, or electric power  
55 owned or operated by a telecommunications, cable, or electric  
56 power company or cooperative, ~~or an~~ electric power supplier, or



## HB482 INTRODUCED

57 a railroad.

58 (3) Equipment used in the transmission of wireless  
59 communications or related to wireless communications.

60 (4) Equipment used at any facility of ~~over the~~  
61 air-over-the-air broadcast companies.

62 (5) Railroad materials and lading, including, but not  
63 limited to, any rail telecommunications; cable communications;  
64 power and signal equipment and wires; road/rail crossing  
65 signals, equipment, and wires; metal property lading being  
66 transported by a railroad; and any railroad track and other  
67 operating materials, including switch component, spike, angle  
68 bar, tie plate, or bolt of the type used in constructing  
69 railroads.

70 (6) ~~Electric~~Any electric power line, gas line, water  
71 line, wire or fiber insulators, electric motors or other  
72 apparatus, heating and cooling systems, and environmental  
73 control systems that are connected to farm shops, on-farm  
74 grain drying and storage complexes, animal production  
75 facilities, irrigation systems, greenhouse facilities, or  
76 other agricultural, forestry, or food-related activities,  
77 equipment, structures, systems, or vehicles.

78 (7) Any electric power line, gas line, water line, wire  
79 or fiber insulators, fencing, gates, security structures,  
80 electric motors or other apparatus, metering instruments,  
81 communications antenna, environmental control systems, and  
82 processing plants that are connected to oil, natural gas,  
83 coalbed methane, shale gas, or other petroleum producing  
84 properties, equipment, structures, systems, or vehicles.



## HB482 INTRODUCED

85 (8) Any metal property from a school, place of worship,  
86 or a secondary metals recycler's premises.

87 (9) A copper, aluminum, or aluminum-copper condensing  
88 or evaporating coil, including its tubing or rods, from a  
89 heating or air conditioning unit, excluding scrap from window  
90 air conditioning units and automobile condenser coils, unless  
91 ~~any one~~either of the following criteria are satisfied:

92 a. The condenser coils are being sold by a licensed  
93 contractor, HVAC contractor, plumber, or electrician and a  
94 current and valid license with number is provided at the time  
95 of sale and copied or scanned by the secondary metals recycler  
96 at the time of sale.

97 b. The condenser coils are being sold by a person with  
98 verifiable documentation, such as a receipt or work order,  
99 indicating that the condenser coils are the result of a  
100 replacement of an air conditioner unit or condenser coils  
101 performed by a licensed contractor.

102 (10) Utility access covers, manhole covers, or storm  
103 drain covers, unless the seller is a company that deals in the  
104 manufacture or sale of the aforementioned products.

105 (11) Grave markers, vases, memorials, statues, plaques,  
106 or other bronze objects used at a cemetery or other location  
107 where deceased ~~persons~~individuals are interred or  
108 memorialized, or any other metal historic markers or monuments  
109 or the attached support or post to either, unless the seller  
110 is a company that deals in the manufacture or sale of the  
111 aforementioned products.

112 (12) Copper wire removed from any building, utility, or



## HB482 INTRODUCED

113 other structure.

114 (b) (1) Any Except as provided in subdivision (2), any  
115 person in violation of this section shall be guilty of a Class  
116 C felony and shall be sentenced to a term of imprisonment of  
117 not less than two years.

118 ~~(e)~~ (2) Any person in violation of this section shall be  
119 guilty of a Class B felony and shall be sentenced to a term of  
120 imprisonment of not less than three years if the damage or  
121 destruction causes imminent danger to the health and safety of  
122 the public, a metal owner's employees, first responders, law  
123 enforcement officers, or utility workers, or cause an  
124 interruption in communications services or electric utility  
125 services. For purposes of this ~~subsection~~ subdivision,  
126 "imminent danger" means the existence of any condition that  
127 could hinder or disrupt the normal operation of equipment,  
128 systems, or services provided for the health and safety of the  
129 public, metal owner's employees, first responders, law  
130 enforcement officers, or utility workers, or cause an  
131 interruption in communications services or electric utility  
132 services.

133 (3) Notwithstanding any provision of law to the  
134 contrary, any term of imprisonment imposed pursuant to this  
135 section shall run consecutive with any other term of  
136 imprisonment for any other offense and shall not be eligible  
137 for any of the following:

138 a. Probation.

139 b. Community corrections.

140 c. Any split or suspended sentence provision pursuant



## HB482 INTRODUCED

141 to Section 15-18-8.

142 d. Any type of early release program, work release  
143 program, good time, or any other program which would change  
144 the overall time or location of incarceration.

145 e. Any sentencing schedule or worksheet adopted,  
146 created, or otherwise released by the Alabama Sentencing  
147 Commission.

148 ~~(d)~~ (c) At the time of sentencing of any person  
149 convicted under this section, the judge may order restitution  
150 in an amount determined by the court; provided, however, the  
151 amount shall not be less than the value of the metal property  
152 determined to have been damaged or stolen and shall include  
153 the cost of replacement and the cost to repair any and all  
154 damage caused during the commission of the crime for which the  
155 person is convicted."

156 "§13A-8-37

157 (a) It is unlawful for a person to possess or control  
158 the following property knowing that ~~it~~ the property has been  
159 stolen or having reasonable grounds to believe ~~it~~ the property  
160 has been stolen, unless the property is possessed or  
161 controlled with intent to restore it to the owner:

162 (1) Metal property marked with the initials of an  
163 electrical company, a telephone company, a cable company,  
164 another public utility, a railroad, or a brewer.

165 (2) Utility access covers, manhole covers, or storm  
166 drain covers, unless the seller is a company that deals in the  
167 manufacture or sale of the aforementioned products.

168 (3) Street light poles ~~and~~ or fixtures, unless the



## HB482 INTRODUCED

169 seller is a company that deals in the manufacture or sale of  
170 ~~the aforementioned~~such products.

171 (4) Road and bridge guard rails unless the seller is a  
172 company that deals in the manufacture or sale of ~~the~~  
173 ~~aforementioned~~such products.

174 (5) Highway or street signs, traffic light signals,  
175 ~~and~~or traffic directional and control signs unless the seller  
176 is a company that deals in the manufacture or sale of ~~the~~  
177 ~~aforementioned~~such products.

178 (6) Water meter covers unless the seller is a company  
179 that deals in the manufacture or sale of ~~the~~  
180 ~~aforementioned~~such products.

181 (7) Metal beer kegs including those made of stainless  
182 steel that are clearly marked as being the property of a beer  
183 manufacturer unless the seller is a company that deals in the  
184 manufacture or sale of ~~the aforementioned~~such products.

185 (8) Metal property marked with the name of a government  
186 entity.

187 (9) Unused and undamaged building construction or  
188 utility materials consisting of copper, pipe, tubing or  
189 wiring, aluminum wire, or historical markers.

190 (10) Grave markers, vases, memorials, statues, plaques,  
191 or other bronze objects used at a cemetery or other location  
192 where deceased ~~persons~~individuals are interred or  
193 memorialized, unless the seller is a company that deals in the  
194 manufacture or sale of ~~the aforementioned~~such products.

195 (11) A copper, aluminum, or aluminum-copper condensing  
196 or evaporating coil, including its tubing or rods, from a



## HB482 INTRODUCED

197 heating or air conditioning unit, excluding scrap from window  
198 air conditioning units and automobile condenser coils, unless  
199 any one of the following criteria are satisfied:

200 a. The condenser coils are being sold by a licensed  
201 contractor, HVAC contractor, plumber, or electrician and a  
202 current and valid license with number is provided at the time  
203 of sale and copied or scanned by the secondary metals recycler  
204 at the time of sale.

205 b. The condenser coils are being sold by a person with  
206 verifiable documentation, such as a receipt or work order,  
207 indicating that the condenser coils are the result of a  
208 replacement of an air conditioner unit or condenser coils  
209 performed by a licensed contractor.

210 (12) Copper wire removed from a building, utility, or  
211 other structure.

212 (b) ~~Any person who violates the requirements of A~~  
213 violation of subdivision (a) (2) or (a) (10) shall be ~~guilty of~~  
214 a-punished as follows:

215 (1) On a first violation in a 10-year period, the  
216 person shall be guilty of a Class C felony~~for a first~~  
217 ~~offense,~~ and shall be sentenced to a term of imprisonment of  
218 not less than two years.

219 (2) On a second violation in a 10-year period, the  
220 person shall be guilty of a Class B felony~~for a second~~  
221 ~~offense, and~~ and shall be sentenced to a term of imprisonment  
222 of not less than five years.

223 (3) On a third or subsequent violation in a 10-year  
224 period, the person shall be guilty of a Class A felony~~for a~~



## HB482 INTRODUCED

225 ~~third or subsequent offense within a 10-year period~~ and shall  
226 be sentenced to a term of imprisonment of not less than 10  
227 years.

228 (c) ~~Any person who violates the requirements of A~~  
229 violation of subdivisions~~subdivision~~ (a) (1), (a) (3), (a) (4),  
230 (a) (5), (a) (6), (a) (7), (a) (8), or (a) (9), (a) (11), or (a) (12)  
231 ~~of subsection (a)~~ shall be punished as follows:

232 (1) On a first violation in a 10-year period, the  
233 person shall be guilty of a Class B misdemeanor~~for a first~~  
234 ~~offense.~~

235 (2) On a second violation in a 10-year period, the  
236 person shall be guilty of a Class A misdemeanor~~for a second~~  
237 ~~offense, and~~ and shall be sentenced to a term of imprisonment  
238 of not less than six months.

239 (3) On a third or subsequent violation in a 10-year  
240 period, the person shall be guilty of a Class C felony~~for a~~  
241 ~~third or subsequent offense within a 10-year period~~ and shall  
242 be sentenced to a term of imprisonment of not less than two  
243 years.

244 (d) Notwithstanding any provision of law to the  
245 contrary, any term of imprisonment imposed pursuant to this  
246 section shall run consecutive with any other term of  
247 imprisonment for any other offense and shall not be eligible  
248 for any of the following:

249 (1) Probation.

250 (2) Community corrections.

251 (3) Any split or suspended sentence provision pursuant  
252 to Section 15-18-8.



## HB482 INTRODUCED

253 (4) Any type of early release program, work release  
254 program, good time, or any other program which would change  
255 the overall time or location of incarceration.

256 (5) Any sentencing schedule or worksheet adopted,  
257 created, or otherwise released by the Alabama Sentencing  
258 Commission."

259 "§13A-8-37.1

260 (a) It is unlawful for a secondary metals recycler to  
261 purchase the following property unless a copy of verifiable  
262 documentation in addition to the signed statement required by  
263 ~~subdivision (a) (6) of~~ Section 13A-8-31 (a) (6) is provided to  
264 the secondary metals recycler that the seller is the owner of  
265 the property:

266 (1) Catalytic converters that are not part of an entire  
267 motor vehicle.

268 (2) Metal property of a telephone company, an electric  
269 company, a cable company, a water company, another utility, or  
270 a railroad marked or otherwise identified as such.

271 (3) Copper wire that has been burned to remove the  
272 insulation, unless verifiable documentation is provided that  
273 the source of the copper wire was in a building destroyed by  
274 fire.

275 (4) A copper, aluminum, or aluminum-copper condensing  
276 or evaporating coil, including its tubing or rods, from a  
277 heating or air conditioning unit, excluding scrap from window  
278 air conditioning units and automobile condenser coils, unless  
279 any one of the following criteria are satisfied:

280 a. The condenser coils are being sold by a licensed



## HB482 INTRODUCED

281 contractor, HVAC contractor, plumber, or electrician and a  
282 current and valid license with number is provided at the time  
283 of sale and copied or scanned by the secondary metals recycler  
284 at the time of sale.

285 b. The condenser coils are being sold by a person with  
286 verifiable documentation, such as a receipt or work order,  
287 indicating that the condenser coils are the result of a  
288 replacement of an air conditioner unit or condenser coils  
289 performed by a licensed contractor.

290 (5) Utility access covers, manhole covers, or storm  
291 drain covers, unless the seller is a company that deals in the  
292 manufacture or sale of the aforementioned products.

293 (6) Grave markers, vases, memorials, statues, plaques,  
294 or other bronze objects used at a cemetery or other location  
295 where deceased ~~persons~~individuals are interred or memorialized  
296 or any other metal historic markers or monuments or the  
297 attached support or post to either, unless the seller is a  
298 company that deals in the manufacture or sale of the  
299 aforementioned products.

300 (7) Any metal property that has been brightly painted  
301 or marked to deter theft of the property.

302 (8) Ventilation fans or similar fans designed to supply  
303 fresh air to workers in confined spaces, such as underground  
304 mines or other similar circumstances.

305 (9) Copper wire removed from any building, utility, or  
306 other structure.

307 (b) (1) Any person in violation of this section shall be  
308 guilty of a Class B felony and shall be sentenced to a term of



## HB482 INTRODUCED

309 not less than three years.

310 (2) Notwithstanding any provision of law to the  
311 contrary, any term of imprisonment imposed pursuant to this  
312 section shall run consecutive with any other term of  
313 imprisonment for any other offense and shall not be eligible  
314 for any of the following:

315 a. Probation.

316 b. Community corrections.

317 c. Any split or suspended sentence provision pursuant  
318 to Section 15-18-8.

319 d. Any type of early release program, work release  
320 program, good time, or any other program which would change  
321 the overall time or location of incarceration.

322 e. Any sentencing schedule or worksheet adopted,  
323 created, or otherwise released by the Alabama Sentencing  
324 Commission."

325 "§13A-8-37.4

326 (a) It is unlawful for a possessor or seller of ~~a used,~~  
327 ~~detached catalytic converter, or any nonferrous part of a~~  
328 ~~catalytic converter,~~ property described in Section 13A-8-37(a)  
329 to provide any false, fraudulent, altered, or counterfeit  
330 information or documentation as required by ~~Section~~  
331 ~~13A-8-37.3~~ this article.

332 (b) A person who commits a violation of this section ~~is~~  
333 shall be punished as follows:

334 (1) On a first violation in a 10-year period, the  
335 person shall be guilty of a Class A misdemeanor and shall be  
336 sentenced to a term of imprisonment of not less than six



## HB482 INTRODUCED

337 months.

338 (2) On a second or subsequent violation within a  
339 10-year period, the person ~~is~~ shall be guilty of a Class C  
340 felony and shall be sentenced to a term of imprisonment of not  
341 less than two years.

342 (c) Notwithstanding any provision of law to the  
343 contrary, any term of imprisonment imposed pursuant to this  
344 section shall run consecutive with any other term of  
345 imprisonment for any other offense and shall not be eligible  
346 for any of the following:

347 (1) Probation.

348 (2) Community corrections.

349 (3) Any split or suspended sentence provision pursuant  
350 to Section 15-18-8.

351 (4) Any type of early release program, work release  
352 program, good time, or any other program which would change  
353 the overall time or location of incarceration.

354 (5) Any sentencing schedule or worksheet adopted,  
355 created, or otherwise released by the Alabama Sentencing  
356 Commission."

357 Section 2. This act shall become effective on October  
358 1, 2026.