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General News

Copper theft legislation anticipated for separate hearings this week

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OKLAHOMA CITY – Two similar bills dealing with copper theft are making their way through the legislative process in an effort to shore up what has become a major headache for businesses throughout the state.

House Bill 1399 is expected to be taken up by the Senate sometime this week while Senate Bill 472 is on Wednesday's agenda for the House Judiciary and Public Safety Committee. Both bills are authored by state Sen. Cliff Branam and state Rep. Guy Liebmann.

The Oklahoma City Republican legislators said HB 1399 is likely to be the vehicle that will carry the final language. The latest version would require a registry of people selling to recycling centers and junkyards. It also includes a list of items those businesses would not be allowed to purchase.

Branam said the goal is to put a stop to junk dealers buying stolen copper wire.

"We're not going to be a haven for them anymore," Branam said of the copper thieves.

Kelly Miller, president of Professional Insurors Agency LLC, said he had numerous claims from companies hit hard by theft of copper wire and coils. Miller cited one construction company that twice had to spend \$250,000 due to multiple copper thefts that likely netted the thieves less than \$10,000.

At one strip center, a truck hooked itself to the central conduit and drove off.

"The value of the copper was miniscule when compared to the damage," Miller said.

Liebmann said Oklahoma Gas & Electric had lost an estimated \$1 million.

Brian Alford, spokesman for OG&E, said he couldn't confirm the numbers but said the company's substations had been compromised on several occasions by copper thieves.

"There is the incredible danger these thieves put themselves in when they do this," Alford said. "Our crews have built in to their procedures to look for copper theft before they begin to work. It puts them in danger."

One such theft last summer led to an estimated 4,000 customers in south Oklahoma City, Moore, and Norman going without power on a day when temperatures were soaring. Alford said there was a safety issue for consumers associated with not having cooling units running effectively during that type of weather.

Branam said the "no-buy" list includes items such as copper or aluminum from HVAC condensing units, catalytic converters and communication transmission wires. Branam said the list was the result of complaints from junk dealers who were opposed to the current requirement of having to hold items they purchased for a minimum of 10 days.

Bill Cale, president of Yaffe Iron and Metal in Muskogee, said the holding requirement would create significant costs for dealers who would have to build additional space to store the materials.

Cale said there had been no enforcement of the holding rule to date. He said that the metals couldn't be identified specifically and that it was nearly impossible for law enforcement to trace the materials to a specific theft location.

"There are very few disreputable people in the business and they will continue to do business as they do today," Cale said. "Adherence to the law will catch nobody."

The bill also contains a provision requiring the junk dealers to write a check for any purchases beyond \$25. Branam said that would be a significant change given that the dealers had always paid cash in the past, which left no paper trail.

“It’s a money-laundering cash business,” Branam said, noting that he spent one Friday watching hundreds of such transactions taking place.

Cale said the check requirement was just one more layer of regulation, calling it “a pain in the neck” that had no real purpose.

HB 1399 was expected to be heard Tuesday but was delayed. Branam said he had been asked to hold the bill temporarily by at least one legislative member.

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