

Fiscal Estimate Narratives

DNR 11/16/2011

LRB Number	11-3155/1	Introduction Number	SB-274	Estimate Type	Original
Description Regulating sales of plastic bulk merchandise containers to scrap plastic dealers and providing penalties					

Assumptions Used in Arriving at Fiscal Estimate

Summary of Bill

This bill extends regulations requiring documentation for sales of scrap metals to include sales of plastic bulk merchandise containers to scrap plastic dealers. Under this bill, the scrap plastics dealer must obtain information and maintain records identifying the seller and documenting that the seller lawfully possesses the containers or that the dealer has made a diligent inquiry into the seller's lawful right to sell the containers. The seller must maintain records of the sale for a specified period of time. The bill subjects the dealer to the same penalties assessed on a scrap metal dealer for knowing violation of the law, and extends civil action extended to scrap metal owners allowing the owner of the plastic containers to recover from the thief the cost of replacing the stolen material. The bill allows a local law enforcement officer to request a report from all scrap plastic dealers in a jurisdiction on plastic bulk merchandise containers accepted, and requires plastics dealers to comply. The bill prevents a county, town, city or village from enacting an ordinance governing the sale of plastic bulk merchandise containers that is more stringent than the provisions of the bill, except that a first class city can exceed the stringency level with an ordinance.

Assumptions

The cost to local governments is indeterminate, although not expected to be significant. Some local law enforcement agencies could incur some very minor costs in filing reports submitted by dealers, requesting and reviewing records from dealers and in prosecuting and adjudicating violations. A local unit of government may enact an ordinance, and recoup costs of enforcement through issuance of citations for violations. Because the sales provisions of this bill are likely to have a strong deterrent effect on the theft for salvage sale of plastic bulk merchandise containers, this analysis assumes no significant fiscal impact on local governments. It also assumes no fiscal impact on local government responsible units for recycling as few if any local recycling programs include plastic bulk merchandise containers.

Long-Range Fiscal Implications