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**HOUSE BILL 2213**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Representatives Ryu, Leavitt, Bronoske, Goodman, and Reeves

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1 AN ACT Relating to addressing theft and vandalism involving metal  
2 property; amending RCW 19.290.020, 19.290.030, 19.290.050, and  
3 19.290.060; and adding new sections to chapter 43.10 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 19.290.020 and 2024 c 301 s 4 are each amended to  
6 read as follows:

7 (1) At the time of a transaction, every scrap metal business  
8 doing business in this state shall produce wherever that business is  
9 conducted an accurate and legible record of each transaction  
10 involving nonferrous metal property. This record must be written in  
11 the English language, documented on a standardized form or in  
12 electronic form, and contain the following information:

13 (a) The signature of the person with whom the transaction is  
14 made;

15 (b) The time, date, location, and value of the transaction;

16 (c) The name of the employee representing the scrap metal  
17 business in the transaction;

18 (d) The name, street address, and telephone number of the person  
19 with whom the transaction is made;

1 (e) The license plate number and state of issuance of the license  
2 plate on the motor vehicle used to deliver the nonferrous metal  
3 property subject to the transaction;

4 (f) A description of the motor vehicle used to deliver the  
5 nonferrous metal property subject to the transaction;

6 (g) The current driver's license number or other government-  
7 issued picture identification card number of the seller or a copy of  
8 the seller's government-issued picture identification card; (~~and~~)

9 (h) A description of the predominant types of nonferrous metal  
10 property subject to the transaction, utilizing the institute of scrap  
11 recycling industries' generally accepted terminology, and including  
12 weight, quantity, or volume; and

13 (i) One or more photographs accurately depicting all nonferrous  
14 metal property subject to the transaction, including legible photos  
15 of any identifiable markings on the nonferrous metal property.

16 (2) For every transaction that involves nonferrous metal  
17 property, every scrap metal business doing business in the state  
18 shall require the person with whom a transaction is being made to  
19 sign a declaration. The declaration may be included as part of the  
20 transactional record required under subsection (1) of this section,  
21 or on a receipt for the transaction. The declaration must state  
22 substantially the following:

23 "I, the undersigned, affirm under penalty of law that the  
24 property that is subject to this transaction is not to the best of my  
25 knowledge stolen property."

26 The declaration must be signed and dated by the person with whom  
27 the transaction is being made. An employee of the scrap metal  
28 business must witness the signing and dating of the declaration and  
29 sign the declaration accordingly before any transaction may be  
30 consummated.

31 (3) The record and declaration required under this section must  
32 be open to the inspection of any commissioned law enforcement officer  
33 of the state or any of its political subdivisions at all times during  
34 the ordinary hours of business, or at reasonable times if ordinary  
35 hours of business are not kept, and must be maintained wherever that  
36 business is conducted for five years following the date of the  
37 transaction.

38 (4) (a) For every transaction that involves nonferrous metal  
39 property with a value of \$50 or more:

1 (i) The information collected under subsection (1) of this  
2 section must be digitally uploaded to a database approved by the  
3 Washington state patrol; and

4 (ii) The scrap metal business must retain all nonferrous metal  
5 property subject to the transaction in its original form for a period  
6 of no less than 10 days from the date of purchase.

7 (b) For the purposes of (a) of this subsection, the value of  
8 nonferrous metal property from multiple transactions must be  
9 aggregated and treated as one transaction if the transactions each  
10 occur within the same 24-hour period and:

11 (i) Involve the same seller; or

12 (ii) The same vehicle is used to deliver the nonferrous metal  
13 property.

14 **Sec. 2.** RCW 19.290.030 and 2024 c 301 s 5 are each amended to  
15 read as follows:

16 (1) No scrap metal business may enter into a transaction to  
17 purchase or receive nonferrous metal property from any person who  
18 cannot produce at least one piece of current government-issued  
19 picture identification, including a valid driver's license or  
20 identification card issued by any state.

21 (2) No scrap metal business may purchase or receive commercial  
22 metal property unless the seller: (a) Has a commercial account with  
23 the scrap metal business; (b) can prove ownership of the property by  
24 producing written documentation that the seller is the owner of the  
25 property; or (c) can produce written documentation that the seller is  
26 an employee or agent authorized to sell the property on behalf of a  
27 commercial enterprise.

28 (3) No scrap metal business may enter into a transaction to  
29 purchase or receive metallic wire that was burned in whole or in part  
30 to remove insulation unless the seller can produce written proof to  
31 the scrap metal business that the wire was lawfully burned.

32 (4) ~~((a))~~ No transaction involving nonferrous metal property may  
33 be made in cash ~~((or))~~. For the purposes of this subsection, "cash"  
34 means currency in the form of coins or bills issued by the federal  
35 government, and does not include any electronic, digital, or other  
36 representations of money or other methods of payment.

37 (5) No transaction involving nonferrous metal property may be  
38 made with any person who does not provide a street address and  
39 photographic identification and sign a declaration under the

1 requirements of RCW 19.290.020 except as described in (~~(b) of~~) this  
2 subsection. The person with whom the transaction is being made may  
3 only be paid by a nontransferable check, (~~mailed by the scrap metal~~  
4 ~~business to a street address provided under RCW 19.290.020, no~~  
5 ~~earlier than three days after the transaction was made. A transaction~~  
6 ~~occurs on the date provided in the record required under RCW~~  
7 ~~19.290.020.~~

8 ~~(b) A scrap metal business that is in compliance with this~~  
9 ~~chapter may pay up to a maximum of \$30 in cash,~~) electronic method  
10 of payment, stored value device, or electronic funds transfer for  
11 nonferrous metal property. The (~~balance of the~~) value of the  
12 transaction may only be made by nontransferable check, electronic  
13 method of payment, stored value device, or electronic funds transfer  
14 at the time the transaction is made if the scrap metal business  
15 digitally captures(~~+~~

16 ~~(i) A) a~~ a copy of one piece of current government-issued picture  
17 identification, including a current driver's license or  
18 identification card issued by any state(~~;~~ and

19 ~~(ii) Either a picture or video of either the material subject to~~  
20 ~~the transaction in the form received or the material subject to the~~  
21 ~~transaction within the vehicle which the material was transported to~~  
22 ~~the scrap metal business.~~

23 ~~(5) (a) A scrap metal business's usage of video surveillance shall~~  
24 ~~be sufficient to comply with subsection (4) (b) (ii) of this section so~~  
25 ~~long as the video captures the material subject to the transaction.~~

26 ~~(b) A digital image or picture taken under this section must be~~  
27 ~~available for two years from the date of transaction, while a video~~  
28 ~~recording must be available for 30 days).~~

29 (6) No scrap metal business may purchase or receive beer kegs  
30 from anyone except a manufacturer of beer kegs or licensed brewery.

31 (7) Any purchased or received nonferrous metal property or  
32 commercial metal property that law enforcement has probable cause to  
33 believe is stolen is subject to seizure and forfeiture and no  
34 property right exists in it.

35 **Sec. 3.** RCW 19.290.050 and 2024 c 301 s 7 are each amended to  
36 read as follows:

37 (1) In addition to all other requirements of this chapter, (~~upon~~  
38 ~~request by any commissioned law enforcement officer of the state or~~  
39 ~~any of its political subdivisions,~~) every scrap metal business shall

1 furnish a full, true, and correct transcript of the records from the  
2 purchase or receipt of nonferrous metal property and commercial metal  
3 property involving (~~only a specified~~) an individual, vehicle, or  
4 item of nonferrous metal property or commercial metal property. This  
5 information may be electronically transmitted within a specified time  
6 of not less than (~~two business days to the applicable law~~  
7 ~~enforcement agency electronically, by facsimile transmission, or by~~  
8 ~~modem or similar device, or by delivery of computer disk subject to~~  
9 ~~the requirements of, and approval by, the chief of police or the~~  
10 ~~county's chief law enforcement officer~~) five business days to the  
11 Washington state patrol.

12 (2) Any records created or produced under this section are exempt  
13 from disclosure under chapter 42.56 RCW.

14 (3) If the scrap metal business has good cause to believe that  
15 any nonferrous metal property or commercial metal property in their  
16 possession has been previously lost or stolen, the scrap metal  
17 business shall promptly report that fact to the (~~applicable~~  
18 ~~commissioned law enforcement officer of the state, the chief of~~  
19 ~~police, or the county's chief law enforcement officer~~) Washington  
20 state patrol, together with the name of the owner, if known, and the  
21 date when and the name of the person from whom it was received.

22 (4) Compliance with this section shall not give rise to or form  
23 the basis of private civil liability on the part of a scrap metal  
24 business or scrap metal recycler.

25 **Sec. 4.** RCW 19.290.060 and 2024 c 301 s 8 are each amended to  
26 read as follows:

27 (1) Following notification in writing from (~~a commissioned law~~  
28 ~~enforcement officer of the state or any of its political~~  
29 ~~subdivisions~~) the Washington state patrol that an item of nonferrous  
30 metal property or commercial metal property has been reported as  
31 stolen, a scrap metal business shall hold that property intact and  
32 safe from alteration, damage, or commingling, and shall place an  
33 identifying tag or other suitable identification upon the property.  
34 The scrap metal business shall hold the property for a period of time  
35 as directed by the applicable law enforcement agency up to a maximum  
36 of ten business days.

37 (2) (~~A commissioned law enforcement officer of the state or any~~  
38 ~~of its political subdivisions~~) The Washington state patrol shall not  
39 place on hold any item of nonferrous metal property or commercial

1 metal property unless that law enforcement agency reasonably suspects  
2 that the property is a lost or stolen item. Any hold that is placed  
3 on the property must be removed within ten business days after the  
4 property on hold is determined not to be stolen or lost and the  
5 property must be returned to the owner or released.

6 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.10  
7 RCW to read as follows:

8 (1) There is hereby created a critical infrastructure crime  
9 reduction unit within the office of the attorney general for the  
10 purpose of assisting local law enforcement agencies and prosecuting  
11 attorneys' offices with the investigation and prosecution of cases  
12 involving metal theft or vandalism affecting critical infrastructure.

13 (2) When funded, the critical infrastructure crime reduction unit  
14 shall be responsible for:

15 (a) At the request of a local law enforcement agency, assisting  
16 the law enforcement agency with the investigation and development of  
17 criminal cases involving metal theft or vandalism affecting critical  
18 infrastructure;

19 (b) At the request of a local prosecuting attorney's office,  
20 assisting the prosecuting attorney's office with the litigation of  
21 cases involving metal theft or vandalism affecting critical  
22 infrastructure, or litigating such cases on behalf of the prosecuting  
23 attorney's office;

24 (c) Establishing and regularly convening a work group to identify  
25 trends in crimes affecting critical infrastructure and develop best  
26 practices for investigating and prosecuting such crimes in the state;  
27 and

28 (d) Conducting seminars and training sessions on best practices  
29 for investigating and prosecuting criminal cases involving metal  
30 theft or vandalism affecting critical infrastructure.

31 (3) The critical infrastructure crime reduction unit shall  
32 prioritize assisting jurisdictions with a higher rate of incidents  
33 involving metal theft or vandalism affecting critical infrastructure.

34 (4) Nothing in this section shall be construed to alter the  
35 attorney general's concurrent authority to investigate and prosecute  
36 crimes.

37 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.10  
38 RCW to read as follows:

1       The critical infrastructure crime reduction account is created in  
2 the custody of the state treasurer. All receipts from legislative  
3 appropriations, donations, gifts, grants, and funds from federal or  
4 private sources must be deposited in the account. Expenditures from  
5 the account may be used only for the purpose of funding the critical  
6 infrastructure crime reduction unit established under section 5 of  
7 this act. Only the attorney general or his or her designee may  
8 authorize expenditures from the account. The account is subject to  
9 the allotment procedures under chapter 43.88 RCW, but an  
10 appropriation is not required for expenditures.

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