

433.908 Applicant -- Requirements -- Background checks -- Applications -- Fee -- Annual renewal -- License to be displayed.

- (1) An applicant for licensure as a secondary metals recycler shall file a written application under oath on a form provided by the commission. An applicant who owns more than one (1) secondary metals recycling location shall file an application for each location. Upon approval of the application and payment of the application fee, the commission shall issue a license to the applicant.
- (2) Any person listed on an application for a secondary metals recycler business license shall be at least eighteen (18) years of age prior to the date the application is submitted.
- (3)
 - (a) Prior to approval of the application, the commission shall require a name-based background check on each applicant.
 - (b) Each applicant shall provide written authorization to the Department of Kentucky State Police to perform a name-based background check and release the results to the commission.
 - (c) Any request for a name-based background check shall be on a form or through a process approved by the Department of Kentucky State Police, which may charge a fee to be paid by the applicant in an amount no greater than the actual cost of processing the request.
 - (d) The commission shall not issue a license to an applicant if the name-based background check results reveal that within the last five (5) years the applicant has been convicted of, or entered a plea of guilty, an Alford plea, or a plea of nolo contendere to, a felony involving theft, larceny, dealing in stolen property, receiving stolen property, burglary, embezzlement, or obtaining property by false pretenses, any felony drug offense, or intentionally violating the laws of the Commonwealth relating to licensure as a secondary metals recycler.
- (4) The application for a license shall be in a form prescribed by the commission and shall contain at a minimum the following:
 - (a) The name, address, and telephone number of the secondary metals recycling business;
 - (b) The name, home address, and telephone number of each applicant;
 - (c) The address of each secondary metals recycling business owned by the applicant;
 - (d) Contact information for the purposes of KRS 433.906;
 - (e) The nature or character of the goods, wares, merchandise, or services to be offered by the applicant;
 - (f) Any criminal convictions within the past five (5) years related to theft, stolen property, or other pecuniary crimes of the applicant; and
 - (g) A statement of whether the applicant has previously been denied a license under this section or if the applicant has had a previous license revoked or suspended, and if so, the reasons or circumstances surrounding the denial, revocation, or suspension of the license.

- (5) Each application for a license as a secondary metals recycler shall be accompanied by a reasonable fee as established by the commission.
- (6) Licenses issued by the commission shall be subject to annual renewal and shall expire unless renewed upon payment of a reasonable renewal fee in the manner prescribed by the commission.
- (7) A secondary metals recycler business license shall be conspicuously displayed at each secondary metals recycling business owned by a secondary metals recycler.

Effective: April 14, 2026

History: Created 2026 Ky. Acts ch. 182, sec. 3, effective April 14, 2026.