

J610-7/28/2023

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

July 28, 2023

Fifth Spec Session, 2023

H. B. 23-65

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A BILL FOR AN ACT

To prohibit the selling of copper wire for a period of two (2) years; and for other purposes.

BE IT ENACTED BY THE 23<sup>RD</sup> NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:

1           **Section 1. Short Title.** This Act shall be cited as the “Copper Wire Theft  
2 Control Act of 2023”.

3           **Section 2. Findings and Purpose.** The Legislature finds that copper wire  
4 is a common electrical conductor that can be used for electrical and  
5 telecommunication purposes. It is one of the most flexible, durable, and safest  
6 conductors that you can use. Upon the occurrence of power overload and power  
7 surges, copper wire is not likely to melt or burn which will lessen the likelihood  
8 of fire starting as a result of power problems. The Legislature also finds that  
9 copper wires are the least likely conductors that loosen, which can prevent serious  
10 dangerous conditions from occurring and causing harm to anyone within the  
11 vicinity that utilizes copper wire as an electrical conductor.

1           The Legislature finds that copper wire theft is a serious concern that  
2 negatively impacts the CNMI. Such cruel and malevolent acts affect communities  
3 and businesses alike. Copper wire theft has become so common that such acts also  
4 occur in cemeteries. It not only disrupts economic activity, but it also disrupts the  
5 positive aura that portrays the CNMI in a unique and pristine way. Once copper  
6 wire is stolen, the material becomes untraceable and will be difficult to retrieve.  
7 In order to preserve such conditions, stolen valuable materials, such as copper  
8 wire, must be prevented from being sold to various entities/individuals and from  
9 leaving the borders of the CNMI.

10           The Legislature further finds that upon obtaining their newly-stolen  
11 copper wire, the responsible individuals often sell them to businesses, such as  
12 recycling centers, or they are exported to another country where they will be  
13 utilized for various purposes. The Legislature also finds that according to the  
14 National Conference of State Legislatures (NCSL), 33 states have enacted laws  
15 regarding the regulation of scrap metal (inclusive of copper) sales and theft as of  
16 December 2008. As of 2013, the total number has increased to 49 states  
17 regulating scrap metal theft and transactions. Therefore, it will be in the best  
18 interest of the CNMI to prohibit the selling and the exportation of copper wire in  
19 order to protect those affected individuals and businesses, and to restrict such  
20 valuable resources from leaving the Commonwealth.



1           Therefore, the purpose of this act is to prohibit the selling of copper wire  
2 for a period of two years.

3           **Section 3. Enactment.** Notwithstanding any laws or regulations to the  
4 contrary and subject to proper codification by the CNMI Law Revision  
5 Commission, the following new provisions are hereby enacted:

6           **“§101. Definitions.**

7           “Copper Wire” means copper wire used as an electrical conductor for  
8 power generation, power transmission, telecommunications, electronics  
9 circuitry, and electrical equipment.

10          “Person” and “Persons” means any individual, corporation,  
11 association, business trust, company, joint venture company, or  
12 limited liability company.

13          “Sale”, “Sell” and “Selling” means the transfer of copper wire,  
14 including what was previously sold, violation of applicable law by  
15 any person and/or persons not authorized by law to effectuate said  
16 transfer.

17          **§102. Prohibition of Selling of Copper Wire.**

18          Notwithstanding any laws, provisions, or statutes to the contrary, no  
19 person shall sell copper wire as defined by §101.

20          **§103. Enforcement Authority.**

1           The Department of Public Safety in collaboration with the Office of the  
2           Attorney General and the Division of Customs shall be responsible for the  
3           enforcement of this Act.

4           **§104. Penalty.**

5           Any person in violation of §102 shall be subject to a fine of not less than  
6           \$5,000 and/or imprisonment of no more than one year.

7           **§105. Sunset Provision.**

8           The provisions of this Act shall expire two years after the effective date of  
9           this Act.”

10          **Section 4. Severability.** If any provisions of this Act or the application  
11         of any such provision to any person or circumstance should be held invalid by a  
12         court of competent jurisdiction, the remainder of this Act or the application of its  
13         provisions to persons or circumstances other than those to which it is held invalid  
14         shall not be affected thereby.

15          **Section 5. Savings Clause.** This Act and any repealer contained herein  
16         shall not be construed as affecting any existing right acquired under contract or  
17         acquired under statutes repealed or under any rule, regulation, or order adopted  
18         under the statutes. Repealers contained in this Act shall not affect any proceeding  
19         instituted under or pursuant to prior law. The enactment of the Act shall not have  
20         the effect of terminating, or in any way modifying, any liability, civil or criminal,  
21         which shall already be in existence on the date this Act becomes effective.

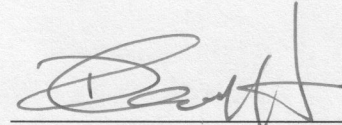


1           **Section 6. Effective Date.** This Act shall take effect upon its approval by  
2 the Governor, or its becoming law without such approval.

Prefiled: 7/24/2020

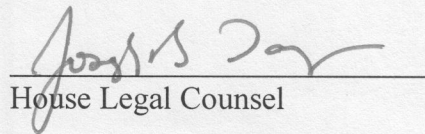
Date: \_\_\_\_\_

Introduced by: \_\_\_\_\_



Rep. Diego V. F. Camacho

Reviewed for Legal Sufficiency by:

  
House Legal Counsel

