

McDuffie County Sheriff's Office

Secondary Metals Recycler Registration Form

Pursuant to O.C.G.A. § 10-1-359.1, secondary metals recyclers who purchase regulated metal property in any quantity must register with the appropriate Sheriff's office or offices.

To Determine the County of Registration

- **LEGAL ENTITY (e.g. Business, Corporation, or Partnership)**
You must register with the Sheriff in each county where you maintain a place of business. If you maintain a place of business in more than one county, you must file a separate registration form for each business location.
- **INDIVIDUAL/SOLE PROPRIETOR (Georgia Resident)**
You must register in the county where you reside.
- **INDIVIDUAL/SOLE PROPRIETOR (Non-Resident of Georgia)**
You must register in the county where you primarily engage or intend to engage in business as a secondary metals recycler.

The Registration Process

- Obtain a copy of the *Secondary Metals Recycler Registration* form online at www.mcduffiecountysheriff.com or by visiting the McDuffie County Sheriff's Office.
- Complete and submit the registration form *in person* to the appropriate Sheriff's office or offices.
- Application for registration must include:

☐ **Non-Refundable Registration Fee.** Submit payment of \$200 with the registration form. Payment must be made in the form of a check or money order payable to the McDuffie County Sheriff's Office. Checks returned for insufficient funds are subject to a \$30 service charge pursuant to O.C.G.A. § 16-9-20.

☐ **Identification**

☐ **Background Check.** Applicable to any person applying in this county as a new Registered Agent on or after July 1, 2023 –OR—any Registered Agent of an existing Secondary Metals Recycler whose registration is expired as of July 1, 2023, or following any term thereafter, at a fee not to exceed \$75. Not applicable to renewals unless the registration is expired.

☐ **Current and Valid Business License or Occupational Tax Certificate,** if required in this jurisdiction.

☐ **GBI/LEADS Online Customer Identification Number**

☐ **Citizenship / Qualified Alien Status.** If you are a qualified alien, your Secure and Verifiable documentation must be attached to the application.

- Read the instructions carefully and be familiar with the laws governing Secondary Metals Recyclers in the State of Georgia. Visit our website for information: <https://www.garecyclers.org/>

Registration

*Registrations issued between 07/01/23 and 12/31/23 will expire on 12/31/2024. Registrations issued on or after 01/01/2024 and for each year thereafter will expire on 12/31 of the same year they are issued. Failure to register is a misdemeanor of high and aggravated nature. O.C.G.A. 10-1-359.1(e).

Questions?

Contact Lieutenant Clay Johnson at your local sheriff's office at 706-597-3852.

This is an official form and can only be altered by the Sheriff in order to add information specific to his/her county

McDuffie County Sheriff's Office

Secondary Metals Recycler Registration

Registration Type:

☐ **NEW** For purposes of this registration, the term “NEW” applies to any person registering in this county as a new Registered Agent on or after July 1, 2023 –OR– the Registered Agent of an existing Secondary Metals Recycler whose registration is expired as of July 1, 2023, or following any term thereafter.

☐ **RENEWAL** For purposes of this registration, the term “RENEWAL” applies to the Registered Agent of any Secondary Metals Recycler that is authorized by the Sheriff to legally operate in this county as of July 1, 2023, or any term thereafter, is seeking to renew, is in good standing, and whose registration is not expired.

☐ **Check here if the Registered Agent has changed or the registration is EXPIRED.** Will be treated as a NEW registration.

Are you the Registered Agent of a Secondary Metals Recycler that is a Legal Entity (e.g. Business, Corporation, or Partnership)?

☐ **YES** – You must register with the Sheriff in each county where you maintain a place of business.

☐ **NO** – Indicate below if you are a Georgia resident:

☐ **YES**, I am a Georgia Resident. You must register with the Sheriff of the county where your business is located.

☐ **NO**, I am not a Georgia Resident. You must register with the Sheriff in the county where you primarily engage or intend to engage in business as a secondary metals recycler.

Full Name of Registered Agent: _____
(Please print) First Middle Last

GBI/LEADS Online Customer ID#: _____

Name of Legal Entity (e.g. Business, Corporation, or Partnership): ☐ Not Applicable

Physical Address:

Provide street address; include apartment number if applicable. (**P.O. Box not acceptable**; must be a physical street address in Georgia where the Registered Agent can be located in-person)

City / County / State / Zip

Mailing Address:

If different from above, provide street address; include apartment number if applicable; or, provide P.O. Box.

City / State / Zip

McDuffie County Sheriff's Office

Contact Information:

Email

Day Telephone Number

Evening Telephone Number

Cell Number

If the on-site manager is different from the above, complete the following information for the person who is currently the active on-site manager of the business.

☐ Same as Registered Agent

Name of the On-Site Managing Agent: _____

(Please print) First

Middle

Last

Physical Address: _____

Provide your street address; include apartment number if applicable. (*P.O. Box not acceptable.*)

City / State / Zip

Contact Information:

Email

Day Telephone Number

Evening Telephone Number

Cell Number

Attach a registration fee of \$200 (or \$275 if fingerprinted by the Sheriff). Fees are non-refundable. The fee for checks returned due to non-sufficient funds is \$30.00. Provide a copy of your identification.

McDuffie County Sheriff's Office

Secondary Metals Recycler Registration Affidavit

I hereby swear and affirm that all information provided in this registration form is true and correct to the best of my knowledge and belief. I further swear and affirm that I have read and understand the current state laws relating to secondary metals recyclers in Georgia and I agree to abide by these laws, as amended from time to time.

By signing this application, I hereby swear and affirm one of the following to be true and accurate pursuant to O.C.G.A. § 50-36-1 (check one):

☐ I am a United States citizen 18 years of age or older. Please submit a copy of your current Secure and Verifiable Document(s) such as driver's license, passport, or other approved documentation as defined in O.C.G.A. § 50-36-2(b)(3).

OR

☐ I am not a United States citizen, but I am a legal permanent resident of the United States 18 years of age or older, or I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older with an alien number issued by the Department of Homeland Security or other federal immigration agency. Please submit a copy of your current immigration document(s) which includes either your Alien number or your I-94 number and, if needed, SEVIS number.

By signing this application, I acknowledge that I understand that I must comply with all Georgia laws relevant to secondary metals recyclers at all times.

☐ I am informed of the statutes pertaining to the Secondary Metals Recyclers and the following statutes: O.C.G.A. § 10-1-350 through O.C.G.A. § 10-1-359.5, O.C.G.A. § 40-3-36, and O.C.G.A. § 40-3-56.

☐ I acknowledge that I understand the definition of a Registered Agent as such term is defined in O.C.G.A. § 10-1-350(14). 'Registered agent' means an individual who has been listed on a secondary metals recycler registration form at a Georgia Sheriff's office as the affiant and completes and executes the registration form in accordance with O.C.G.A. § 10-1-359.1.

☐ I acknowledge that I understand the definition of a Secondary Metals Recycler as such term is defined in O.C.G.A. § 10-1-350(16). 'Secondary metals recycler' means any person who is engaged, from a fixed location or otherwise, in the business in this state of paying compensation for regulated metal property that has served its original economic purpose, whether or not engaged in the business of performing the manufacturing process by which regulated metal property is converted into raw material products consisting of prepared grades and having an existing or potential economic value.

☐ I acknowledge that the Sheriff is authorized to collect a non-refundable \$200 application fee for a new registration and each annual renewal. O.C.G.A. § 10-1-359.1(c)(1)

☐ I acknowledge that, if applicable, the Sheriff is authorized to require the registered agent of a secondary metals recycler to submit a current and valid business license in the county or municipality that is associated with the address on the registration form prior to the approval of the new registration or annual renewal. O.C.G.A. 10-1-359.1(c)(2).

APPLICABLE ONLY TO REGISTERED AGENTS OF SECONDARY METAL RECYCLERS THAT ARE LEGAL ENTITIES.

☐ I acknowledge that the Sheriff is authorized to require a new registered agent to submit to a criminal background check and fingerprinting for a new registration with the costs to be paid by the secondary metals recycler in an amount not to exceed \$75.00. O.C.G.A. § 10-1-359.1(c)(3). The term "NEW" applies to any person registering in this county as a new Registered Agent on or after July 1, 2023 –OR– the Registered Agent of an existing Secondary Metals Recycler whose registration is expired as of July 1, 2023, or following any term thereafter.

McDuffie County Sheriff's Office

☐ I acknowledge that the Sheriff is authorized to DENY the new registration or annual renewal of a secondary metals recycler if such person's registration has been revoked in another Georgia county, or information submitted on the registration form has been determined to be invalid or false. *O.C.G.A. § 10-1-359.1(c)(4)*

- Has your secondary metals recycling registration been revoked by a Sheriff in any other Georgia county?
☐ YES ☐ NO
- Is any of the information you have provided on the registration form invalid or false? ☐ YES ☐ NO

☐ I acknowledge that the Sheriff is authorized to REVOKE the registration of a secondary metals recycler's registered agent if the registered agent has been convicted of a felony in the previous five (5) years for violating any of the statutes pertaining to secondary metal recyclers (i.e. O.C.G.A. §§ 10-1-350 through 10-1-359.5). *O.C.G.A. § 10-1-359.1(c)(5)*

- Have you been convicted of a felony in the previous five (5) years for violating any of the statutes pertaining to secondary metals recyclers (i.e. O.C.G.A. §§ 10-1-350 through 10-1-359.5)? ☐ YES ☐ NO

☐ I acknowledge that the Sheriff is authorized to require a secondary metals recycler to provide the customer identification number for the current data base contractor maintained by the Georgia Bureau of Investigation/LEADS Online. *O.C.G.A. § 10-1-359.1(c)(6)*

☐ I acknowledge that the Sheriff is authorized to require that a secondary metals recycler submit a signed and sworn statement that such person has not had such secondary metals recycler's registration or business license revoked during the previous year and that the registered agent has not been convicted of a metal theft offense in the previous year. *O.C.G.A. § 10-1-359.1(c)(7)*

- Has your secondary metals recycler's registration or business license been revoked during the previous year?
☐ YES ☐ NO
- Have you been convicted of a metal theft offense in the previous year? ☐ YES ☐ NO

☐ I acknowledge that a secondary metals recyclers' registered agent shall be ineligible to obtain a NEW registration or an annual RENEWAL if such person is under indictment for a felony offense of violating any of the statutes pertaining to secondary metal recyclers (i.e. O.C.G.A. §§ 10-1-350 through 10-1-359.5), or has been convicted of a felony in the past five (5) years for violating any of the statutes pertaining to secondary metal recyclers (i.e. O.C.G.A. §§ 10-1-350 through 10-1-359.5) *O.C.G.A. § 10-1-359.1(d)*

- Are you currently under indictment for a felony offense of violating any of the statutes pertaining to secondary metal recyclers (i.e. O.C.G.A. §§ 10-1-350 through 10-1-359.5)? ☐ YES ☐ NO
- Have you been convicted of a felony in the past five (5) years for violating any of the statutes pertaining to secondary metal recyclers (i.e. O.C.G.A. §§ 10-1-350 through 10-1-359.5)? ☐ YES ☐ NO

☐ I understand that if my registration is EXPIRED or LAPSED as of July 1, 2023, or following any term thereafter, my application will be treated as a NEW registration.

☐ I understand that if the Registered Agent changes during the term of registration, the Sheriff of each county where said agent is registered must be notified and the new Registered Agent must make application with the Sheriff as a NEW applicant.

☐ I understand that no fees will be prorated.

☐ I understand I may visit <https://www.garecyclers.org/> for a summary of the laws relevant to Georgia secondary metals
July, 2023

McDuffie County Sheriff's Office

recycler information provided by the Georgia Recyclers Association, but I understand that this summary does not substitute the advice of legal counsel or reading of the actual laws.

In making the above attestation, I understand that making any false statements or writings on any part or portion of this application is a violation of O.C.G.A. § 16-10-20. Failure to make full and accurate disclosures may result in criminal prosecution.

Signature of Registered Agent

Date

Print Name of Registered Agent

TO BE COMPLETED IN THE PRESENCE OF THE SHERIFF OR HIS OR HER DESIGNEE UPON SUBMISSION OF THIS APPLICATION TO THE APPROPRIATE SHERIFF'S OFFICE

Registered Agent Signature

Date

Sheriff or Sheriff's Designee Signature

Date

Effective Date of Registration

12/31/_____
Expiration Date of Registration*

Registration Number

***Registrations issued between 07/01/23 and 12/31/23 will expire on 12/31/2024. Registrations issued beginning on 01/01/2024 and for each year thereafter will expire on 12/31 of the same year they are issued. Fees will not be prorated.**