
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1941 (Mark González) - Organized metal theft

Version: June 4, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 6 - 0

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 1941 would create the crime of organized metal theft. The Department of Justice (DOJ) would be required to make available voluntarily reported information about the theft of commodity materials to reporting agencies.

Fiscal Impact: Significant annual costs to DOJ to receive information about theft of commodity metals from public and private sources and to make that information available. (General Fund)

Unknown costs to the counties to incarcerate if a sentence of 16 months, two years or three years is imposed. The average annual cost to incarcerate one person in county jail is approximately \$78,000. In 2021 Los Angeles County budgeted \$1.3 billion for jail costs with \$90,000 per incarcerated person. Actual incarceration costs to counties will depend on the number of convictions and the length of each sentence. Generally, county incarceration costs are not reimbursable state mandates pursuant to Proposition 30 (2012).

Unknown, potentially significant costs to the courts to adjudicate new penalties depending on many unknowns, including the numbers of people charged and the factors unique to each case. An eight-hour court day costs approximately \$10,500 based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources. The FY 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

Background: This bill would create the crime of organized metal theft, similar to the organized retail theft statutes in AB 1065 (Jones-Sawyer) Chapter 803/2018.

Proposed Law: This bill makes a person who commits any of the following acts guilty of organized metal theft:

- Acts in concert with one or more people to steal metal materials with the intent to sell, exchange, or return the metal materials for value.
- Acts in concert with two or more persons to receive, purchase, or possess specified utility metal materials knowing or believing it to have been stolen.

- Acts as an agent of another individual or group of individuals to steal specified utility metal materials as part of an organized plan to commit metal theft.
- Recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake any of the acts described above or acts described in any other statute defining theft of metal, except for the conduct of acting as an agent to steal specified utility metal materials.

This bill punishes organized metal theft as follows:

- If any of the above violations, except for recruiting, organizing, or financing another to undertake specified organized metal theft acts, are committed on two or more separate occasions within a 12-month period, and if the aggregated value of the metal stolen, received, purchased, or possessed within that 12-month period exceeds \$950, the offense is punishable as an alternate-felony misdemeanor (wobbler) by imprisonment in a county jail not exceeding one year or by imprisonment for 16 months, or two or three years.
- Any other violation, except for recruiting, organizing, or financing another to undertake organized metal theft acts, is punishable by imprisonment in jail not exceeding one year.
- A violation of recruiting, organizing, or financing another to undertake specified organized metal theft acts, as specified, is punishable as a wobbler by imprisonment in a county jail not exceeding one year or as a jail-eligible felony by imprisonment for 16 months, or two or three years.

This bill provides that for the purpose of determining if the defendant acted in concert with another person, the trier of fact may consider any competent evidence, including whether the defendant has previously acted in concert with another person in committing acts constituting theft, or any related offense, including any conduct that occurred in counties other than the county of the current offense, if relevant to demonstrate a fact other than the defendant's disposition to commit the act.

Related Legislation: SB 1266 (Stern) would amend Proposition 47 to instead of using fair market scrap value, "value" would be calculated as the cost to the victim to repair and replace, excluding the cost of labor, the stolen materials, including equipment that was damaged or destroyed by the stealing, taking, or carrying away. SB1266 is awaiting hearing in the Assembly Appropriations Committee.

Proposed Author Amendments: The author has suspense file amendments which would delete Section 3 of the bill (which proposed adding Penal Code 11199.6), to read:

~~11199.6 Local law enforcement agencies, public agencies, and private entities, including, but not limited to, telecommunication companies, recycling companies, and private utility companies, may provide information about theft of commodity metals, including, but not limited to, ferrous metal, copper, brass, aluminum, nickel, stainless steel, and alloys, to the Department of Justice. The department shall make this information available to such local law enforcement agencies, public agencies, and private entities.~~