
THIRD READING

Bill No: AB 1941
Author: Mark González (D), et al.
Amended: 8/18/26 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/23/26

AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

ASSEMBLY FLOOR: 71-0, 5/22/26 - See last page for vote

SUBJECT: Organized metal theft

SOURCE: CalBroadband; League of California Cities; Mayor of San Jose, Matt Mahan; U.S. Telecom

DIGEST: This bill creates a new crime punishing organized metal theft as a wobbler.

Senate Floor Amendments of 8/18/26 add the specification that the property consists of metal materials bearing markings, tags, or other identifying characteristics of a telecommunications provider, railroad, public utility, or public entity engaged in furnishing public utility service, to the consideration of whether or not the property involved in the offense is of a type or quality that would not normally be collected or purchased for personal use and that the property is intended for resale.

ANALYSIS:

Existing law:

- 1) States that every person who feloniously steals, takes, carries, leads, or drives away the personal property of another, or who fraudulently appropriates property which has been entrusted to them, or who knowingly and designedly, by any false or fraudulent representation or pretense, defrauds any other person

of money, labor or real or personal property, is guilty of theft. (Penal (Pen.) Code, § 484, subd. (a).)

- 2) Divides theft into two degrees: petty theft and grand theft. (Pen. Code, § 486.)
 - a) Punishes petty theft as a misdemeanor, punishable by fine not exceeding \$1,000, or by imprisonment in the county jail not exceeding six months, or both. (Pen. Code, § 490.)
 - b) Defines grand theft as theft of money, labor, real or personal property of a value exceeding \$950, and punishes grand theft as a wobbler – subject to imprisonment in county jail not exceeding one year, or by imprisonment in county jail for 16 months, two years, or three years. (Pen. Code, §§ 487, 489.)
- 3) Provides that in any case involving one or more acts of theft or shoplifting, including but not limited to, shoplifting, theft, and petty theft, the value of property or merchandise stolen may be aggregated into a single count or charge, with the sum of the value of all property or merchandise being the values considered in determining the degree of theft. (Pen. Code, § 490.3.)
- 4) Provides that it is a crime to buy or receive stolen property.
 - a) If the value of the property is less than \$950, the offense is a misdemeanor punishable by imprisonment in county jail for one year.
 - b) If the value of the property is over \$950, the offense is punishable as a wobbler – subject to imprisonment in a county jail not exceeding one year, or by imprisonment in county jail for 16 months, two years, or three years. (Pen. Code, §§ 487, 489, 496.)
- 5) Provides that a person who has two or more prior convictions for specified theft offenses, including petty theft, grand theft, shoplifting, or receipt of stolen property, and who is convicted of petty theft or shoplifting, is punishable by imprisonment in county jail for up to one year, or by 16 months, or two or three years, and makes a second or subsequent conviction of petty theft with two priors punishable by imprisonment in the county jail not exceeding one year or by imprisonment in state prison. (Pen. Code, § 666.1, subd. (a).)
- 6) Makes it a wobbler, punishable by a fine not exceeding \$2,500 or imprisonment in a county jail not exceeding one year, or by 16 months, or two, or three years in county jail, and a \$10,000 fine, for any person to steal, carry, or take away copper materials of another, including, but not limited to copper wire, copper

cable, copper tubing and copper piping, which are of a value exceeding \$950. (Pen. Code, § 487j.)

- 7) Makes it a crime to unlawfully purchase or receive certain metal materials, as follows:
 - a) Prohibits a dealer or collector of junk, metals, or secondhand materials, from buying or receiving any wire, cable, copper, lead, solder, mercury, iron, or brass which they know or reasonably should know is ordinarily used by or ordinarily belongs to a county, city, or a public utility or transportation company, as specified, without using due diligence to ascertain that the person selling or delivering the property has legal right to do so.
 - b) Makes this crime a wobbler, punishable by up to one year in county jail, or 16 months, or two, or three years in county jail, or by a fine not more than \$5,000. (Pen. Code, § 496a, subd. (a).)
- 8) Makes it a crime to possess certain stolen public agency-related materials, as follows:
 - a) Prohibits any person who is engaged in the salvage, recycling, purchase, or sale of scrap metal from possessing specified items that were owned or previously owned by any public agency, city, county, city and county, special district, or private utility that have been stolen or obtained in any manner constituting theft or extortion, knowing the property to be so stolen or obtained, or failing to report possession of the items.
 - b) Punishes this offense by up to a \$5,000 fine, in addition to any other penalty provided by law. (Pen. Code, § 496e.)

This bill:

- 1) Makes a person who commits any of the following acts guilty of organized metal theft:
 - a) Acts in concert with one or more people to steal metal materials from wire, cable, copper, lead, solder, mercury, iron or brass which a person knows or reasonably should know is ordinarily used by or ordinarily belongs to a railroad or other transportation, telephone, telegraph, gas, water, electric light company, or a county or city engaged in furnishing public utility service, as specified, or from items owned or previously owned by a public agency, city, county, special district, or private utility, as specified, including a fire hydrant, fire department connection, maintenance hole cover or lid,

backflow device or connection, or reasonably recognizable street light, traffic signal, and their reasonably recognizable related equipment (hereafter, “specified utility metal materials,”) with the intent to sell, exchange, or return the metal materials for value.

- b) 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.
- c) 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.
- d) 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.

2) Punishes organized metal theft as follows:

- a) 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.
- b) Any other violation that is not described in the immediately preceding paragraph, except for recruiting, organizing, or financing another to undertake specified organized metal theft acts, is punishable by imprisonment in a county jail not exceeding one year.
- c) 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.

3) 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, but not limited to:

- a) 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.
- b) That the defendant used or possessed an artifice, instrument, container, device, or other article capable of facilitating the removal of metal from specified utility metal materials without permission or authorization, and the use of the artifice, instrument, container, or device, or other article is part of an organized plan to commit metal theft.
- c) The property involved in the offense is of a type or quantity that would not normally be collected or purchased for personal use, and the property is intended for resale, as specified.

Background

In 2020, the average price for copper was approximately \$2.80 per pound; as of October 2024, the price of copper is approximately \$4.55 per pound, which represents nearly a 62.5% increase over the past four years. (National Cable & Telecommunications Association (Nov. 2024). *Protecting the Nation's Critical Communications Infrastructure from Theft & Vandalism* <https://www.ncta.com/wpcontent/uploads/2025/10/CriticalAttacksReportOct25.pdf>.) This demand is seen by many as the reason for the escalation of metal theft.

Recent reports suggest that theft of copper wiring from certain public utility infrastructure has led to significant interruptions in telecommunications services and other public utility services such as street lighting. For example, in response to increases in metal theft, LA City leaders created the Heavy Metal Task Force in early 2024, and early enforcement actions led to 82 arrests and the recovery of more than 2,000 pounds of copper wire. (ABC Eyewitness News (Aug. 2024). *More than 80 arrests made in new effort to battle theft of copper, metal in LA* <https://abc7.com/post/los-angeles-efforts-battle-theft-copper-scrap-metal-have-led-80-arrests-metal-recovery-officials-say/15128029/>; Los Angeles Times (July 2024). *'Significant victory': More than 80 arrested in copper wire theft crackdown* <https://www.latimes.com/california/story/2024-07-30/copper-wire-arrests>.) Sixty of those arrested individuals were charged with felonies. In this case, officials reported that the organizers of the metal theft ring were exploiting indigent and at-risk individuals, having those individuals commit the metal theft and metal stripping.

In addition, on June 5, 2025, the Attorney General issued an information bulletin to all California law enforcement agencies, noting the spike in copper theft and summarizing relevant theft statutes and laws governing junk dealer or recyclers' obligations to collect and report information regarding the receipt, purchase, and sale of copper wire. (California Department of Justice, (June 2025). *2025-DLE-12: State Statutes Applicable to Copper Wire Theft* <https://oag.ca.gov/system/files/media/2025-dle-12.pdf>; California Department of Justice (June 2025). *Attorney General Bonta: Copper Wire Theft Leaves Californians in the Dark, We Must Ensure the Lights Stay On* <https://oag.ca.gov/news/press-releases/attorney-general-bonta-copper-wire-theft-leaves-californians-dark-we-must-ensure>.) The bulletin listed existing laws that can be used to prosecute copper wire theft.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Committee on Appropriations:

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).

SUPPORT: (Verified 8/18/26)

Calbroadband (co-source)

League of California Cities (co-source)

Mayor of San Jose, Matt Mahan (co-source)

U.S. Telecom (co-source)
Almond Alliance
AT&T
Bay Area Council
Bizfed Central Valley
Calasian Chamber of Commerce
Calcom Association
California Association of Sheet Metal & Air Conditioning Contractors National Association
California Central Valley Flood Control Association
California Chapters of the Solid Waste Association of North America's Legislative Task Force
California Contract Cities Association
California Downtown Association
California Electric Transportation Coalition
California Legislative Conference of Plumbing, Heating & Piping Industry
California Municipal Utilities Association
California Municipal Utilities Association (CMUA)
California State Sheriffs' Association
California Transit Association
California Water Association
Choice in Aging
City of El Cerrito
City of Long Beach
City of Los Angeles
City of Norwalk
City of San Jose
City of Thousand Oaks
Construction Employers Association
CTIA - the Wireless Association
Curry Senior Center
East Bay Economic Development Alliance
Finishing Contractors Association of Southern California
Fresno Chamber of Commerce
Los Angeles County Business Federation
Los Angeles County District Attorney's Office
Los Angeles County Sanitation Districts
Los Angeles County Sheriff's Department
Los Angeles Unified School District
Napa Chamber of Commerce

Napa County Farm Bureau
National Electrical Contractors Association
North Bay Leadership Council
Northern California Allied Trades
Pacific Gas and Electric Company and its Affiliated Entities
Palo Alto Chamber of Commerce
Peninsula Corridor Joint Powers Board
Recycled Materials Association - West Coast Chapter
Roseville; City of
Sacramento Hispanic Chamber of Commerce
Sacramento Metro Chamber of Commerce
San Francisco Chamber of Commerce
San Francisco Tech Council
San Mateo County Economic Development Association (SAMCEDA)
San Mateo County Transit District
Self-help for the Elderly
Southern California Public Power Authority (SCPPA)
Sunline Transit Agency
Town of Portola Valley
Tulare; City of
United Contractors
United States Telecom Association DbA Ustelecom - the Broadband Association
Valley Ag Water Coalition
Verizon Communications
Wall and Ceiling Alliance
Western Line Constructors Chapter
Western Painting and Coating Contractors Association
Western Wall and Ceiling Contractors Association
Wireless Infrastructure Association

OPPOSITION: (Verified 8/18/26)

ACLU California Action
California Attorneys for Criminal Justice
California Public Defenders Association
Californians United for a Responsible Budget
Initiate Justice
Justice2jobs Coalition
LA Defensa
Local 148 Los Angeles County Public Defender's Union
San Francisco Public Defender

Smart Justice California
Vera Institute of Justice

ASSEMBLY FLOOR: 71-0, 5/22/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hoover, Irwin, Jackson, Johnson, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Bonta, Chen, Gabriel, Hart, Kalra, Celeste Rodriguez, Ta, Wicks

Prepared by: Natalia DaSilva Telles / PUB. S. /
8/19/26 9:55:51

**** END ****