
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1266 (Stern) - Crimes: theft

Version: April 23, 2026

Urgency: No

Hearing Date: May 11, 2026

Policy Vote: PUB. S. 6 - 0

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: SB 1266 would (1) redefine how value is calculated for crimes related to the theft of copper materials, (2) to redefine how value is calculated for crimes related to the purchase or possession of stolen copper materials, and (3) authorize the value of the thefts of copper materials committed against critical infrastructure within a specified period to be aggregated to match a specified threshold.

Fiscal Impact: Major trial court cost pressure (Trail Court Trust Fund).

Major incarceration costs to the counties and to California Department of Corrections and Rehabilitation (CDCR) (General Fund).

Background: Recent reports suggest that despite legislative efforts to deter copper theft by increasing penalties and regulating scrap metal dealers, incidents of copper theft are becoming more frequent. Because of the widespread use of copper in telecommunications, electric utilities, HVAC, railroads and transit systems, transportation and roadway infrastructure, and public utility services such as city lighting services, copper theft poses a serious problem in California and across the country.

Under current law, a person who steals, takes, or carries 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 nine hundred fifty dollars (\$950) is guilty of grand theft. Grand theft of copper is punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment, or by imprisonment pursuant to Penal Code 1170 (h) and a fine not exceeding ten thousand dollars (\$10,000). PC 1170 (h) provides for a term of imprisonment in a county jail for 16 months, or two or three years in prison. At the same time, two "alternative sentencing schemes" that can come into play with this offense: (1) Three Strikes, which would make this a 32-4-6 felony punishable in CDCR and now (2) Proposition 36 which creates PC 666.1, which would make someone with two or more prior theft offenses punished in county jail with a 16-2-3 felony, regardless of whether the value of the copper fitting was less than \$950.

Proposed Law: This bill requires that for the crime of grand theft of copper "value" shall be calculated as the full cost to the victim to repair and replace the stolen materials, including labor and equipment, rather than the fair market scrap value.

Related Legislation: AB 316 (Carter), Chapter 3172011 created the crime of grand theft of copper materials which is punishable as a wobbler.