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THIRD READING

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Bill No: SB 1266  
Author: Stern (D)  
Amended: 4/23/26  
Vote: 27

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SENATE PUBLIC SAFETY COMMITTEE: 6-0, 4/21/26  
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 5-0, 5/14/26  
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab  
NO VOTE RECORDED: Seyarto, Dahle

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**SUBJECT:** Crimes: theft

**SOURCE:** Los Angeles City Councilmember Adrin Nazarian

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**DIGEST:** This bill redefines how value is calculated for crimes related to the theft of copper materials or the purchase or receipt of stolen property.

**ANALYSIS:**

Existing law:

- 1) Defines “junk” to mean all secondhand and used machinery and all ferrous and nonferrous scrap metals and alloys, including any secondhand and used furniture, pallets, or other personal property, other than livestock or parts or portions thereof. (Business and Professions (Bus. & Prof.) Code, § 21600.)
- 2) States that “scrap metals and alloys” includes but is not limited to materials and equipment commonly used in construction, electrical power generation, railroad equipment, and nonferrous materials, which are offered for sale to any junk dealer or recycler, but does not include scrap iron, household generated waste, or aluminum beverage containers, as specified. (Bus. & Prof. Code, § 21600.)
- 3) 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, and divides theft into two degrees, petty theft and grand theft. (Penal (Pen.) Code §§ 484, subd. (a), 486.)

- 4) 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.)
- 5) 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.)
- 6) Makes it a crime to buy or receive stolen property, and provides that if the value of the property is less than \$950, the offense is a misdemeanor punishable by imprisonment in county jail for one year, but if the value of the property is over \$950, the offense is punishable as an alternate misdemeanor-felony (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.)
- 7) Provides that every person who is a dealer in or collector of junk, metals, or secondhand materials, or the agent, employee, or representative of such dealer or collector, and who buys or receives any wire, cable, copper, lead, solder, mercury, iron, or brass which he or she knows or reasonably should know is ordinarily used by, or ordinarily belongs, to a railroad or other transportation, telephone, telegraph, gas, water, or electric light company, or a county, city, city and county, or other political subdivision of this state engaged in furnishing public utility service, without using due diligence to ascertain that the person selling or delivering the same has a legal right to do so, is guilty of criminally receiving that property. This crime is punishable as a wobbler. (Pen. Code, § 496a, subd. (a).)
- 8) 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.)

- 9) Provides that a person who has two or more prior convictions for specified theft offenses 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).)
- 10) Allows that in any case involving one or more acts of theft the value of property stolen may be aggregated into a single count or charge, with the sum of the value of all property being the value considered in determining the degree of theft. (Pen. Code, § 490.3.)
- 11) Provides that if a person takes, damages, or destroys property in the commission or attempted commission of a felony, as specified, the court shall impose an additional and consecutive term of imprisonment, as follows:
  - a) If the loss or property value exceeds \$50,000, the court shall impose an additional term of one year.
  - b) If the loss or property value exceeds \$200,000, the court shall impose an additional term of two years.
  - c) If the loss or property value exceeds \$1,000,000, the court shall impose an additional term of three years.
  - d) If the loss or property value exceeds \$3,000,000, the court shall impose an additional term of four years.
  - e) For each additional loss or property value of \$3,000,000, the court shall impose a term of one year in addition to the term specified immediately above. (Pen. Code, § 12022.6, subd. (a).)
- 12) Provides that in an accusatory pleading involving multiple charges of taking, damage, or destruction, or multiple violations of the receiving stolen property statute, the additional terms provided in the provision above may be imposed if the aggregate losses to the victims or aggregate property values from all felonies exceed the amounts specified in this above and arise from a common scheme or plan. (Pen. Code, § 12022.6, subd. (b).)
- 13) Makes it a wobbler, punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$1,000, or by both that imprisonment and fine, or by imprisonment in a county jail for 16 months, two years, or three years, for any person who unlawfully and maliciously takes down, removes,

injures, disconnects, cuts, or obstructs a line of telegraph, telephone, or cable television, or any line used to conduct electricity. (Pen. Code, § 591.)

- 14) States that every person who maliciously damages or destroys the real or personal property of another is guilty of vandalism. (Pen. Code, § 594, subd. (a).)
- 15) Makes it a misdemeanor, punishable by imprisonment in a county jail not exceeding one year, or by a fine of not more than \$1,000, or by both that fine and imprisonment, for every person guilty of vandalism if the amount damaged is less than \$400, but if the amount damaged is \$400 or more, it is a wobbler offense. (Pen. Code, § 594, subd. (b).)
- 16) Provides that for the purposes of Section 594, “damages” includes damage caused to public transit property and facilities, and public utilities and water property facilities, in the course of stealing or attempting to steal nonferrous material, as defined. (Pen. Code, § 594.05.)
- 17) Provides that any person who willfully and maliciously does any injury to telegraph or telephone or electric power or gas property is liable to the corporation for three times the amount of actual damages sustained thereby. (Pub. Util. Code, § 7951.)

This bill:

- 1) Provides 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 copper materials, including labor and equipment, rather than the fair market scrap value.

## **Comments**

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.

According to a white paper from the Internet & Television Association (NCTA) and other entities in the U.S. wireless communications industry, crimes related to copper theft not only disrupt essential services, but they also impose millions of dollars in repair costs, and endanger public safety by threatening emergency

communications, hospitals, airports, military installations, and other public safety institutions. AT&T noted that as a company, it experienced “more than 10,400 copper theft incidents, with a weekly average of 200 incidents reported nationwide at the end of 2025,” and that losses for 2025 exceeded \$82 million. The company also noted that “in California alone, we are experienced more than 7,300 copper theft incidents in 2025, with losses exceeding \$54 million.”

Cities across the country have experienced a spike in metal theft, In response to mushrooming incidents of metal theft, some residents in the city of Los Angeles have taken it upon themselves to combat the epidemic. In June 2025, California’s attorney general responded by issuing a bulletin to California law enforcement noting the spike in metal theft and detailing relevant criminal statutes applicable to the theft of copper wire; the receipt, purchase, and sale of stolen copper wire; and statutes related to junk dealers and recyclers’ obligations to collect and report certain information related to the receipt, purchase, and sale of copper wire.

In response to the prevalence of metal thefts, including copper wire from construction sites, public utility facilities, and other locations, the Legislature passed AB 316 (Carter, Chapter 317, Statutes of 2011), which created the crime of grand theft of copper materials which is punishable as a wobbler.

In November of 2014, Proposition 47 was approved by the voters, and reclassified certain nonviolent property and drug crimes from felonies to misdemeanors. Specifically, Proposition 47 provided that various theft-related offenses for which the value of the property does not exceed \$950 are generally punished as misdemeanors. Proposition 47 additionally allowed certain offenders who had previously been convicted of such crimes to petition for resentencing.

This bill seeks to deter theft of copper wire from critical public infrastructure by redefining how value is calculated. Specifically, rather than defining value as the fair market scrap value of the stolen material, the bill alters the definition of value, for the purposes of the crimes of copper theft to include the full cost to the victim to repair and replace stolen copper materials, including labor and equipment.

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

According to the Senate Appropriations Committee:

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).

**SUPPORT:** (Verified 5/14/26)

Los Angeles City Councilmember Adrin Nazarian (Source)

AT&T

Audubon California

California District Attorneys Association

California Police Chiefs Association

California Water Association

City of Roseville

CTIA

League of California Cities

National Audubon Society

Peace Officers Research Association of California

United States Telecom Association DbA Ustelecom - the Broadband Association

**OPPOSITION:** (Verified 5/14/26)

ACLU California Action

All of Us or None

California Public Defenders Association

Californians United for a Responsible Budget

Ella Baker Center for Human Rights

Initiate Justice

Justice2Jobs Coalition

La Defensa

Legal Services for Prisoners With Children

Los Angeles County Public Defender's Union, Local 148

San Francisco Public Defender

Smart Justice California

Vera Institute of Justice

Prepared by: Alex Barnett / PUB. S. /

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\*\*\*\* END \*\*\*\*