Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
SB 1266 (Stern) – As Amended July 2, 2026

Policy Committee: Public Safety Vote: 8 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

**SUMMARY**:

This bill changes how the value of stolen copper materials is calculated for purposes of the grand theft of copper statute from the fair market scrap value to the cost to the victim to repair and replace the stolen materials, including equipment damaged or destroyed in the course of the theft.

**FISCAL EFFECT**:

1) Significant increase in county incarceration costs (local funds) and potential state incarceration costs (General Fund (GF), California Department of Corrections and Rehabilitation (CDCR)) to the extent the revised valuation methodology reclassifies thefts currently prosecuted as petty theft into felony grand theft of copper. Because repair and replacement costs routinely exceed the scrap value of stolen copper by large multiples, the bill could convert a substantial share of copper thefts into wobblers (meaning the offense may be charged as either a misdemeanor or as a felony) carrying county jail terms of 16 months, two years, or three years. County jail costs average approximately $29,000 per person per year; each additional 10 individuals serving a one-year term would cost counties roughly $290,000.

2) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to adjudicate any additional filings. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately $1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately $117.3 million in 2025-26.

**COMMENTS**:

1) **Purpose**. According to the author:

> SB 1266 strengthens protections for both public and private infrastructure by closing the gap between scrap value and real-world impact by ensuring our legal framework reflects the true cost of infrastructure damage... giving law enforcement and prosecutors the tools they need to respond proportionately and deter future harm.

2) **Background**. ***Copper Theft***. Existing law makes theft of copper materials valued over $950 grand theft, a wobbler punishable by up to one year in county jail and a $2,500 fine, or by 16 months, two, or three years and a fine of up to $10,000. Industry sources report substantial and growing losses: AT&T reported more than 7,300 copper theft incidents in California in 2025, with losses exceeding $54 million, and the Attorney General issued a bulletin to law enforcement in June 2025 detailing the statutes applicable to copper wire theft and to junk dealer and recycler obligations.

   ***Measurement of Value under Existing Theft Law***. The $950 threshold separating petty theft from grand theft, reinforced statewide by Proposition 47 (2014), is conventionally measured by the fair market value of the property taken; for copper, the scrap value the material would command. Under this framework, the extensive collateral damage a copper theft inflicts on infrastructure is addressed through avenues other than the theft charge itself: vandalism charges, for which "damages" expressly include damage caused to public transit, utility, and water facilities in the course of stealing nonferrous material; sentencing enhancements keyed to aggregate loss exceeding $50,000; victim restitution, which since AB 844 (Berryhill), Chapter 731, Statutes of 2009, must cover both the stolen materials and any collateral damage caused during a metal theft; and treble civil damages for injury to utility property.

   ***How this Bill Departs from that Framework***. This bill takes a different approach: rather than addressing collateral damage through parallel charges, enhancements, or restitution, the bill folds the victim's repair and replacement costs, including damaged or destroyed equipment, but excluding labor, into the definition of "value" for purposes of grading the theft offense itself. This valuation methodology would be unique in California theft law. No other theft offense grades severity by the victim's cost of repair rather than the market value of what was taken. The practical significance lies in the wide gap between the two measures: as the opposition notes, individuals who stole $11,000 in scrap-value copper from a Los Angeles bridge caused an estimated $2.5 million in repairs, a ratio approaching 250:1. Because repair costs so consistently dwarf scrap value, the change would cause many, and potentially most, copper thefts that currently fall below the $950 threshold to qualify as felony grand theft. Supporters characterize this as the central purpose. The League of California Cities writes that the change "would make more copper thefts exceed the $950 threshold and thus increase the eligibility for a felony charge," while opponents argue the same feature effectively felonizes nearly all copper theft regardless of the amount taken.

3) **Related Legislation**. AB 1941 (M. Gonzalez) criminalizes repeat and organized metal theft offenders and is pending in Senate Appropriations.

**Analysis Prepared by**: Shiran Zohar / APPR. / (916) 319-2081