
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: SB 1266 **Hearing Date:** April 21, 2026
Author: Stern
Version: March 25, 2026
Urgency: No **Fiscal:** Yes
Consultant: PW

Subject: *Crimes: theft*

HISTORY

Source: City of Los Angeles Councilmember Adrin Nazarian

Prior Legislation: AB 476 (M. Gonzalez), Ch. 694, Stats. of 2025
Proposition 36, as approved by the voters on November 5, 2024
Proposition 47, as approved by the voters on November 4, 2014
AB 1782 (Chesbro), Ch. 332, Stats. of 2014
AB 1971 (Buchanan), Ch. 82, Stats. of 2012
AB 316 (Carter), Ch. 317, Stats. of 2011
AB 109 (Comm. on Budget), Ch. 15, Stats. of 2011

Support: AT&T; California District Attorneys Association; California Police Chiefs Association; City of Roseville; Peace Officers Research Association of California

Opposition: ACLU California Action; All of Us or None; California Public Defenders Association; Justice2Jobs Coalition; La Defensa; Legal Services for Prisoners With Children; Los Angeles County Public Defender’s Union, Local 148; Smart Justice California; Vera Institute of Justice

PURPOSE

The purpose of this bill is to redefine how value is calculated for crimes related to the theft of copper materials; to redefine how value is calculated for crimes related to the purchase or possession of stolen copper materials; and to authorize the value of thefts of copper materials committed against critical infrastructure within a specified period to be aggregated to meet a specified threshold.

Existing law 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. (Bus. & Prof. Code, § 21600.)

Existing law states 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.)

Existing law 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. (Pen. Code §§ 484, subd. (a), 486.)

Existing law 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.)

Existing law 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.)

Existing law 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.)

Existing law 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).)

Existing law 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.)

Existing law 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).)

Existing law 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.)

Existing law 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:

- If the loss or property value exceeds \$50,000, the court shall impose an additional term of one year.
- If the loss or property value exceeds \$200,000, the court shall impose an additional term of two years.
- If the loss or property value exceeds \$1,000,000, the court shall impose an additional term of three years.
- If the loss or property value exceeds \$3,000,000, the court shall impose an additional term of four years.
- 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).)

Existing law 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).)

Existing law 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.)

Existing law 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).)

Existing law 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).)

Existing law 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.)

Existing law 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 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 copper materials, including labor and equipment, rather than the fair market scrap value.

This bill provides that the value of thefts committed against critical infrastructure within a 90-day period may be aggregated to meet the \$950 threshold for the crime of grand theft of copper materials.

This bill requires that, for the crime of receiving stolen property, the “value” of the stolen property received 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.

COMMENTS

1. Need For This Bill

According to the author:

SB 1266 provides responsive public policy to deal with the brazen theft of copper wiring, which has quickly grown from a nuisance crime to a direct attack on our infrastructure and public safety. By modernizing the definition of theft to include the full cost of repair and replacement, rather than just scrap value, we are finally aligning our legal framework with the true financial damage inflicted on small businesses, homes, schools, utilities and electric vehicle charging stations. This policy ensures that the destruction caused by ripping out copper wiring is appropriately recognized as a serious, costly offense, not merely petty larceny.

2. Metal Theft

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.¹ 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.”²

¹ NCTA, CTIA, U.S. Telecom, and WIA, “Protecting The Nation’s Critical Communications Infrastructure From Theft & Vandalism – Fall,” Broadband Breakfast, white paper, <<https://broadbandbreakfast.com/protecting-the-nations-critical-communications-infrastructure-from-theft-vandalism-fall-2025-2/?submissionGuid=89682ec3-87ff-4da9-b474-92b97c96b3d8>>.

² Rahdeese Alcutt, lead investigator, AT&T Global Security, “Copper Theft – What We’re Missing,” AT&T, blog, <https://about.att.com/blogs/2026/copper-theft.html?source=EC00EM000000000E&wtExtndSource=04032026&wtExtndSource=04032026>.

Cities across the country have experienced a spike in metal theft,³ 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.⁴ 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.⁵

3. Proposition 47

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.

4. Effect of This Bill

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.

This bill seeks to deter theft of copper wire from critical public infrastructure by redefining how value is calculated. First, rather than defining value as the fair market scrap value of the stolen material, the bill alters the definition of value to include the full cost to the victim to repair and replace stolen copper materials, including labor and equipment. Second, the bill authorizes the aggregation of thefts against critical infrastructure over a 90-day period to meet the \$950 threshold.

It should be noted that existing law, enacted by Proposition 36 in 2024, provides that notwithstanding any other law, in any case involving one or more acts of theft or shoplifting, 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. Given that the crime of copper theft falls under the purview of this aggregation statute, it is unclear why the aggregation provision in this bill is needed.

Additionally, the bill does not define the term “critical infrastructure.” Because this bill expands the scope of a crime and imposes a criminal penalty, the author may wish to define “critical infrastructure,” or strike the term and replace it with a term that is defined in existing law.

³ Nazy Javid, *Rail riders react after multiple copper wire thefts disrupt Sacramento light rail service*, Jan. 14, 2026 <<https://www.abc10.com/article/news/local/sacramento/rail-riders-react-after-multiple-copper-wire-thefts-disrupt-sacramento-light-rail-service/103-ae2f81a-b6ee-4717-b4ca-a2f0af30ee0b>>; City of Santa Rosa, *Copper Wire Theft* <<https://www.srcity.org/1438/Copper-Wire-Theft>>.

⁴ Gavin J. Quinton, *Copper thefts turned these upscale L.A. streets pitch dark. Frustrated residents are fighting back* (Jan. 21, 2026) <<https://www.latimes.com/california/story/2026-01-21/copper-thefts-no-streetlights-hancock-park-residents-fighting-back>>.

⁵ California Attorney General, *State Statutes Applicable to Copper Wire Theft*, Information Bulletin No. 2025-DLE-12 (Jun. 5, 2025) <<https://oag.ca.gov/system/files/media/2025-dle-12.pdf>>.

5. Argument in Support

According to the California Police Chiefs Association:

Senate Bill 1266 ... provides important and needed reforms to California law governing copper theft and related property crimes that cause serious harm to businesses, public agencies, and critical infrastructure.

Copper theft is not a minor property offense. These crimes frequently target utility systems, communications lines, transportation infrastructure, and construction sites, leaving victims with damages that far exceed the scrap value of the stolen materials. In many cases, the true harm lies not in the resale value of the copper itself, but in the substantial cost of repairing and replacing the damaged systems, restoring service, and deploying labor and equipment to address the loss. SB 1266 appropriately recognizes that reality by requiring that value be calculated based on the full cost to the victim to repair and replace the stolen materials, including labor and equipment, rather than merely the fair market scrap value.

This is a significant and necessary improvement. Under current practice, the narrow valuation of stolen copper based only on scrap value can understate the seriousness of the offense and fail to reflect the real-world impact on victims and the community. When copper is stripped from public or private infrastructure, the resulting disruption can interfere with power, communications, transportation operations, and essential services. The law should account for the full extent of that harm.

SB 1266 also addresses another major challenge in prosecuting these offenses by allowing thefts committed against critical infrastructure within a 90-day period to be aggregated to meet the grand theft threshold. This is especially important because copper theft is often committed as a repeated pattern of conduct, with offenders targeting the same systems or areas over time in a way that creates cumulative and substantial damage. Allowing aggregation better reflects how these crimes actually occur and provides law enforcement and prosecutors with a more practical tool to address serial offenders.

In addition, the bill makes corresponding changes to receiving stolen property by applying the same full repair-and-replacement valuation standard. This is important because the market for stolen property are held accountable based on the full impact of the crime.

From a law enforcement perspective, SB 1266 is a common-sense measure that will improve accountability, better align charging decisions with actual victim losses, and strengthen efforts to combat thefts that threaten public safety and critical infrastructure. These crimes impose real costs on communities and often require immediate emergency response, repair coordination, and follow-up investigation. This bill gives the justice system a more accurate framework for addressing them.

SB 1266 represents a targeted and practical reform that responds directly to the growing harm caused by copper theft and related property crimes. By modernizing how value is calculated and allowing repeated thefts from critical infrastructure to be treated in a more realistic manner, the bill will help protect victims, support infrastructure security, and improve public safety outcomes across California.

6. Argument in Opposition

The ACLU California writes:

SB 1266 ... would unnecessarily change how copper theft is aggregated for purposes of prosecution. While we understand the author's intent to address recent copper thefts in Los Angeles, the answer is not further criminalization.

Copper metal theft, by an individual or a group, is already criminalized under existing law. Under the copper theft statute, any theft of copper materials whose value exceeds \$950 is punishable up to three years in prison and a fine of \$10,000. Theft of less than \$950 in materials would lead to a petty theft charge, carrying up to six months of incarcerations and \$1000 fine. If multiple petty thefts occur in line with one intention, impulse, or plan, the thefts may be aggregated into a grand theft charge. When this theft is in concert with others, each individual faces the full punishment available under the relevant statute for aiding and abetting the crime. The situations that motivate SB 1266's changes to the aggregation scheme are already criminalized by existing law.

To the extent that SB 1266 will increase existing criminal punishments, the bill goes against existing research which demonstrates that increased sentences do not deter or prevent crime. This is a sentiment reflected by the U.S Department of Justice's National Institute of Justice guidance that "laws and policies designed to deter crime by focusing mainly on increasing the severity of punishment are ineffective partly because criminals know little about the sanctions for specific crimes."

In addition to not improving public safety, the Legislature cannot ignore the fiscal cost of increased incarceration. Incarcerating an individual costs the state approximately \$133,000 per year. The Legislature should not drive up costs in pursuit of an ineffective carceral approach.

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