

MOCKUP OF COMMITTEE AMENDMENTS

AMENDED IN SENATE MAY 18, 2026

AMENDED IN SENATE APRIL 23, 2026

AMENDED IN SENATE MARCH 25, 2026

SENATE BILL

No. 1266

Introduced by Senator Stern

February 19, 2026

An act to amend ~~Sections 487j and 496~~ *Section 487j* of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1266, as amended, Stern. Crimes: theft.

Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, requires the theft of property that does not exceed \$950 to be punished as a misdemeanor, except as specified. Proposition 47 authorizes amendment of its provisions by a ²/₃ vote of the Members of each house of the Legislature so long as the amendments are consistent with and further the intent of the act.

Under existing law, it is grand theft to steal, take, or carry away copper materials of another valued at more than \$950.

This bill would *amend Proposition 47* to require, for the purposes of this provision, value to 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. Because this bill would expand the scope of a crime, this bill would impose a state-mandated local program.

~~Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, requires the receipt of stolen property that does not exceed \$950 to be punished as a misdemeanor, except in cases when the defendant has previously been convicted of one or more specified serious or violent felonies or an offense requiring registration as a sex offender. Proposition 47 authorizes amendment of~~

its provisions by a ²/₃-vote of the Members of each house of the Legislature so long as the amendments are consistent with and further the intent of the act.

~~This bill would amend Proposition 47 and require, for the purposes of this provision, value to 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. Because this bill would expand the scope of a crime, this bill would impose a state-mandated local program.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- P2 1 SECTION 1. Section 487j of the Penal Code is amended to
- 2 read:
- 3 487j. (a) Every person who steals, takes, or carries away copper
- 4 materials of another, including, but not limited to, copper wire,
- 5 copper cable, copper tubing, and copper piping, which are of a
- 6 value exceeding nine hundred fifty dollars (\$950) is guilty of grand
- 7 theft. Grand theft of copper shall be punishable by a fine not
- 8 exceeding two thousand five hundred dollars (\$2,500), by
- 9 imprisonment in a county jail not exceeding one year, or by both
- 10 that fine and imprisonment, or by imprisonment pursuant to
- 11 subdivision (h) of Section 1170 and a fine not exceeding ten
- 12 thousand dollars (\$10,000).
- 13 (b) For purposes of this section, **instead of using fair market scrap value,**
- 14 **”value” shall be calculated as**
- 15 **the full cost to the victim to repair and replace the stolen materials,**
- 16 **including labor and equipment that was damaged or destroyed by the stealing,**
- 17 **taking or carrying away. “Value” shall not include the cost of labor., rather**
- 18 **than the fair market scrap**
- 19 **value.**
- 20 ~~SEC. 2. Section 496 of the Penal Code is amended to read:~~

P3—1 496.—(a) Every person who buys or receives any property that
2 has been stolen or that has been obtained in any manner—
3 constituting theft or extortion, knowing the property to be so stolen—
4 or obtained, or who conceals, sells, withholds, or aids in—
5 concealing, selling, or withholding any property from the owner,
6 knowing the property to be so stolen or obtained, shall be punished
7 by imprisonment in a county jail for not more than one year, or
8 imprisonment pursuant to subdivision (h) of Section 1170.—
9 However, if the value of the property does not exceed nine hundred—
10 fifty dollars (\$950), the offense shall be a misdemeanor, punishable
11 only by imprisonment in a county jail not exceeding one year, if
12 such person has no prior convictions for an offense specified in
13 clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e)
14 of Section 667 or for an offense requiring registration pursuant to
15 subdivision (e) of Section 290.

16 A principal in the actual theft of the property may be convicted—
17 pursuant to this section. However, no person may be convicted—
18 both pursuant to this section and of the theft of the same property.

19 (b) Every swap meet vendor, as defined in Section 21661 of the
20 Business and Professions Code, and every person whose principal—
21 business is dealing in, or collecting, merchandise or personal—
22 property, and every agent, employee, or representative of that
23 person, who buys or receives any property of a value in excess of
24 nine hundred fifty dollars (\$950) that has been stolen or obtained—
25 in any manner constituting theft or extortion, under circumstances—
26 that should cause the person, agent, employee, or representative
27 to make reasonable inquiry to ascertain that the person from whom
28 the property was bought or received had the legal right to sell or
29 deliver it, without making a reasonable inquiry, shall be punished
30 by imprisonment in a county jail for not more than one year, or
31 imprisonment pursuant to subdivision (h) of Section 1170.

32 Every swap meet vendor, as defined in Section 21661 of the
33 Business and Professions Code, and every person whose principal—
34 business is dealing in, or collecting, merchandise or personal—
35 property, and every agent, employee, or representative of that
36 person, who buys or receives any property of a value of nine
37 hundred fifty dollars (\$950) or less that has been stolen or obtained—
38 in any manner constituting theft or extortion, under circumstances—
39 that should cause the person, agent, employee, or representative
40 to make reasonable inquiry to ascertain that the person from whom

P4—1 the property was bought or received had the legal right to sell or
2 deliver it, without making a reasonable inquiry, shall be guilty of
3 a misdemeanor.

4 ~~(c) Any person who has been injured by a violation of~~
5 ~~subdivision (a) or (b) may bring an action for three times the~~
6 ~~amount of actual damages, if any, sustained by the plaintiff, costs~~
7 ~~of suit, and reasonable attorney's fees.~~

8 ~~(d) For purposes of this section, "value" shall be calculated as~~
9 ~~the full cost to the victim to repair and replace the stolen materials,~~
10 ~~including labor and equipment, rather than the fair market scrap~~
11 ~~value.~~

12 ~~(e) Notwithstanding Section 664, any attempt to commit any~~
13 ~~act prohibited by this section, except an offense specified in the~~
14 ~~accusatory pleading as a misdemeanor, is punishable by~~
15 ~~imprisonment in a county jail for not more than one year, or by~~
16 ~~imprisonment pursuant to subdivision (h) of Section 1170.~~

17 ~~SEC. 3.~~

18 *SEC. 2.* No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.