

## **BILL ANALYSIS**

Senate Research Center  
80R5932 UM-F

H.B. 1766  
By: Pena et al. (Carona)  
Criminal Justice  
4/28/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Texas, along with most states nationwide, is experiencing a near epidemic increase in thefts of metals such as copper, bronze, and aluminum. In particular, copper has become a prime target for thieves largely because the price of copper has increased significantly in the last year. Losses from copper theft include not only the value of the stolen copper, but also losses resulting from damage done during the process of extracting copper from property and equipment. Both small and large businesses are greatly affected by this crime.

Several states are exploring ways to bring the problem under control. Texas provides for penalties for the offenses of theft and criminal mischief, and the penalties can escalate to second and third degree felonies depending on the value of the property stolen or equipment or property damaged. However, those penalties have not sufficiently deterred the crime.

H.B. 1766 provides that the theft of wiring or cable that consists of at least 50 percent aluminum, bronze, or copper metals and that has a value of less than \$20,000 is a state jail felony.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 31.03(e), Penal Code, to provide that, among other things, an offense under this section (Theft) is a state jail felony if the value of the property stolen is less than \$20,000 and the property stolen is insulated or noninsulated wire or cable that consists of at least 50 percent aluminum, bronze, or copper.

SECTION 2. Made application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.