

## **BILL ANALYSIS**

H.B. 348  
By: Pena  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In recognition of the increasing number of thefts of aluminum, bronze, and copper wire and cable, the 80th Texas Legislature enacted legislation increasing the punishment for this crime. Top prices are being paid for these metals and the increase in punishment has benefitted law enforcement across Texas.

However, aluminum, bronze, and copper metals are found in various forms and the theft of these metals has expanded to include items such as air conditioner coils and lightning arrestor rods connected to telephone poles and buildings. Technically, the metal found in these items is not "wire" or "cable," therefore, the increased penalty is inapplicable to theft of these items.

H.B. 348 expands the conditions that constitute a state jail felony offense of theft to include the theft of aluminum, bronze, and copper tubing and rods.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 348 amends the Penal Code to expand the conditions that constitute a state jail felony offense of theft to include theft of insulated or noninsulated tubing and rods that consist of at least 50 percent aluminum, bronze, or copper and that are valued at less than \$20,000.

### **EFFECTIVE DATE**

September 1, 2009.