

BILL ANALYSIS

H.B. 1532
By: Bolton
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The high demand for copper and brass has led to increased theft of such substances. In many cases, the theft of these substances can have a greater impact than the cost of the stolen materials, such as the disruption of railroad signals by copper wire theft or the additional security burden homebuilders face in protecting air conditioning units. Law enforcement has been battling to keep this problem under control, but when the city of Houston increased enforcement on metal thieves, unscrupulous dealers simply moved into unincorporated Harris County.

H.B. 1766, 80th Legislature, Regular Session, 2007, addressed the growing problem of the theft of copper wire by reclassifying it as a state jail felony but, omitted other materials made of copper or brass, such as copper pipe and tubing, that are highly sought after by criminals.

H.B. 1532 includes the theft of copper or brass material alongside other types of wire and cable among the conditions that constitute a state jail felony theft offense and defines "copper or brass material" for that purpose.

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. 1532 amends the Penal Code to expand the conditions that constitute a state jail felony theft offense to include the theft of copper or brass material with a value of less than \$20,000. The bill defines "copper or brass material" as insulated or noninsulated copper wire or cable that is of the type used by a public utility or common carrier and that contains copper or an alloy of copper and zinc, a copper or brass item of a type commonly used in construction or by a public utility, or copper pipe or copper tubing.

EFFECTIVE DATE

September 1, 2009.