

2026 Regular Session

SENATE BILL NO. 403

BY SENATOR CONNICK

CRIME/PUNISHMENT. Creates the crime of unauthorized possession of copper or brass material. (8/1/26)

1 AN ACT

2 To enact R.S. 14:67.8, relative to misappropriation without violence; to create the crime of
3 unauthorized possession of copper or brass material; to provide for elements of the
4 offense; to provide for definitions; to provide for penalties; to provide for exceptions;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67.8 is hereby enacted to read as follows:

8 **§67.8. Unauthorized possession of copper or brass material**

9 **A. As used in this Section, the following terms have the following**
10 **meanings:**

11 **(1) "Cable service provider" has the same meaning as provided in R.S.**
12 **45:1611.**

13 **(2) "Carrier" has the same meaning as provided in R.S. 32:1502 and**
14 **includes a "common carrier" as defined in R.S. 45:251.**

15 **(3) "Copper or brass material" means:**

16 **(a) A power inverter, bus bar, insulated or noninsulated copper wire or**
17 **cable that contains copper or an alloy of copper and zinc, and that is of the type**

1 **used by a:**
2 **(i) Cable service provider.**
3 **(ii) Carrier.**
4 **(iii) Person responsible for the construction, maintenance, service, or**
5 **operation of a pipeline.**

6 **(iv) Public utility.**
7 **(v) Telecommunications service provider.**
8 **(vi) Video service provider.**
9 **(b) Any copper or brass item of a type commonly used in construction**
10 **or by a person listed in this Subsection.**

11 **(4) "Pipeline" has the same meaning as provided in R.S. 14:61 and**
12 **includes a "pipe line" as defined in R.S. 45:251.**

13 **(5) "Public utility" has the same meaning as provided in R.S. 48:1.**

14 **(6) "Telecommunications service" has the same meaning as provided in**
15 **R.S. 47:301.**

16 **(7) "Video service provider" has the same meaning as provided in R.S.**
17 **45:1611.**

18 **B. No person shall knowingly and intentionally possess copper or brass**
19 **material unless authorized by Subsection C of this Section to possess copper or**
20 **brass material.**

21 **C. The following may possess copper or brass material:**

22 **(1) The owner of the material.**

23 **(2) A public utility.**

24 **(3) A carrier.**

25 **(4) A person responsible for the construction, maintenance, service, or**
26 **operation of a pipeline.**

27 **(5) A telecommunications service provider.**

28 **(6) A cable service provider.**

29 **(7) A video service provider.**

1 **(8) A scrap metal recycling facility as defined in R.S. 37:1962.**

2 **(9) A secondhand dealer as defined in R.S. 37:1861.**

3 **(10) A manufacturing, industrial, commercial, retail, or other business**
4 **that sells copper or brass material in the ordinary course and scope of doing**
5 **business.**

6 **(11) A person who lawfully acquires possession of copper or brass**
7 **material during construction, remodeling, demolition, or salvage of a building**
8 **or other structure in which the material was installed or contained.**

9 **(12) An agent acting within the course and scope of his authority on**
10 **behalf of a person listed in Paragraphs (1) through (11) of this Subsection.**

11 **D. The provisions of Subsection C of this Section shall not apply to a**
12 **person who knows that the copper or brass material he possesses is stolen.**

13 **E. Except as provided in Subsection F of this Section, whoever violates**
14 **the provisions of Subsection B of this Section shall be fined not more than ten**
15 **thousand dollars, or imprisoned, with or without hard labor, for not more than**
16 **two years, or both.**

17 **F. If any of the following circumstances are present at the time the**
18 **offense was committed, a person who violates the provisions of Subsection B of**
19 **this Section shall be fined not more than ten thousand dollars, or imprisoned,**
20 **with or without hard labor, for not less than five years nor more than ninety-**
21 **nine years, or both:**

22 **(1) The copper or brass material possessed in violation of Subsection B**
23 **of this Section was obtained from either:**

24 **(a) Critical infrastructure as defined by R.S. 14:61.**

25 **(b) Equipment or wires that are not enclosed by any type of physical**
26 **barrier but are connected or appurtenant to critical infrastructure, and the**
27 **critical infrastructure or its component equipment or parts either depend on the**
28 **appurtenant equipment or wires to properly function, or suffer an impairment**
29 **or interruption of function, operation, production, or service either in whole or**

1 **in part.**

2 **(2) The offender has a prior conviction for any of the following with**
3 **respect to copper or brass material:**

4 **(a) An offense under this Section.**

5 **(b) Criminal mischief, R.S. 14:59.**

6 **(c) Theft, R.S. 14:67.**

7 **(d) Criminal conspiracy to commit theft or criminal mischief, R.S. 14:26.**

8 **(e) An offense under the Louisiana Racketeering Act, R.S. 15:1351 et seq.**

9 **(3) The offender possessed a firearm during the commission of the**
10 **offense.**

11 **G. Prosecution under this Section shall not preclude prosecution under**
12 **any other applicable provision of law.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 403 Original

2026 Regular Session

Connick

Proposed law creates the crime of unauthorized possession of copper or brass material and provides that the offense is committed when a person knowingly and intentionally possesses the material and is not:

- (1) The owner.
- (2) A public utility.
- (3) A carrier.
- (4) A telecommunications service provider.
- (5) A cable service provider.
- (6) A video service provider.
- (7) A person responsible for the construction, maintenance, service, or operation of a pipeline.
- (8) A scrap metal recycling facility.
- (9) A secondhand dealer.
- (10) A manufacturing, industrial, commercial, retail, or other business that sells copper or brass material in the ordinary course and scope of doing business.

- (11) A person who lawfully acquires copper or brass material through construction, remodeling, demolition, or salvage activities.
- (12) An agent acting in the course and scope of his authority for an authorized person.

Proposed law defines "cable service provider", "carrier", "copper or brass material", "pipeline", "public utility", "telecommunications service", and "video service provider".

Proposed law provides that an offender will be fined not more than \$10,000, or imprisoned, with or without hard labor, for not more than two years, or both.

Proposed law also provides that, if any of the following circumstances are present at the time of the offense, an offender will be fined not more than \$10,000, or imprisoned, with or without hard labor, for not less than five years nor more than 99 years, or both:

- (1) The copper or brass material was obtained from:
- (a) Critical infrastructure.
 - (b) Equipment or wires that were not enclosed by any type of physical barrier but were connected or appurtenant to critical infrastructure, and the critical infrastructure or its component equipment or parts either depend on the connected appurtenant equipment or wires to properly function, or suffer an impairment or interruption of function, operation, production, or service either in whole or in part.
- (2) The offender has a prior conviction for any of the following with respect to copper or brass material:
- (a) An offense under proposed law.
 - (b) Criminal mischief.
 - (c) Theft.
 - (d) Criminal conspiracy to commit theft or criminal mischief.
 - (e) An offense under the La. Racketeering Act.
- (3) The offender possessed a firearm during the commission of the offense.

Proposed law does not preclude prosecution under any applicable present law.

Effective August 1, 2026.

(Adds R.S. 14:67.8)