

**ASSEMBLY BILL**

**No. 2372**

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**Introduced by Assembly Member Ammiano**

February 19, 2010

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An act to amend Section 487 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2372, as introduced, Ammiano. Grand theft: property value threshold.

Existing law generally provides that grand theft is theft when the money, labor, or real or personal property taken is of a value exceeding \$400.

This bill would increase the value threshold for committing grand theft from \$400 to \$1,000. By revising an element of an existing 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: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. Section 487 of the Penal Code is amended to  
2 read:  
3 487. Grand theft is theft committed in any of the following  
4 cases:

1 (a) When the money, labor, or real or personal property taken  
 2 is of a value exceeding ~~four hundred dollars (\$400)~~ *one thousand*  
 3 *dollars (\$1,000)*, except as provided in subdivision (b).

4 (b) Notwithstanding subdivision (a), grand theft is committed  
 5 in any of the following cases:

6 (1) (A) When domestic fowls, avocados, olives, citrus or  
 7 deciduous fruits, other fruits, vegetables, nuts, artichokes, or other  
 8 farm crops are taken of a value exceeding two hundred fifty dollars  
 9 (\$250).

10 (B) For the purposes of establishing that the value of avocados  
 11 or citrus fruit under this paragraph exceeds two hundred fifty  
 12 dollars (\$250), that value may be shown by the presentation of  
 13 credible evidence which establishes that on the day of the theft  
 14 avocados or citrus fruit of the same variety and weight exceeded  
 15 two hundred fifty dollars (\$250) in wholesale value.

16 (2) When fish, shellfish, mollusks, crustaceans, kelp, algae, or  
 17 other aquacultural products are taken from a commercial or  
 18 research operation which is producing that product, of a value  
 19 exceeding two hundred fifty dollars (\$250).

20 (3) Where the money, labor, or real or personal property is taken  
 21 by a servant, agent, or employee from his or her principal or  
 22 employer and aggregates nine hundred fifty dollars (\$950) or more  
 23 in any 12 consecutive month period.

24 (c) When the property is taken from the person of another.

25 (d) When the property taken is any of the following:

26 (1) An automobile, horse, mare, gelding, any bovine animal,  
 27 any caprine animal, mule, jack, jenny, sheep, lamb, hog, sow, boar,  
 28 gilt, barrow, or pig.

29 (2) A firearm.

30 (e) This section shall become operative on January 1, 1997.

31 SEC. 2. No reimbursement is required by this act pursuant to  
 32 Section 6 of Article XIII B of the California Constitution because  
 33 the only costs that may be incurred by a local agency or school  
 34 district will be incurred because this act creates a new crime or  
 35 infraction, eliminates a crime or infraction, or changes the penalty  
 36 for a crime or infraction, within the meaning of Section 17556 of  
 37 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California  
2 Constitution.

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