

Senate Bill No. 24

CHAPTER 607

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

[Approved by Governor October 11, 2009. Filed with
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

SB 24, Oropeza. Grand theft: cargo.

Existing law, until January 1, 2010, provides, subject to exceptions, that every person who steals, takes, or carries away cargo of another, as defined, when the cargo taken is of a value exceeding \$400, is guilty of grand theft.

This bill would revise the above language to provide that every person who steals, takes, or carries away cargo of another, if the value of the cargo taken exceeds \$950, except as specified, is guilty of grand theft. The measure would also make these provisions operative indefinitely.

By extending the operation 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.

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

SECTION 1. Section 487h of the Penal Code is amended to read:

487h. (a) Every person who steals, takes, or carries away cargo of another, if the cargo taken is of a value exceeding nine hundred fifty dollars (\$950), except as provided in Sections 487, 487a, and 487d, is guilty of grand theft.

(b) For the purposes of this section, "cargo" means any goods, wares, products, or manufactured merchandise that has been loaded into a trailer, railcar, or cargo container, awaiting or in transit.

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

within the meaning of Section 6 of Article XIII B of the California Constitution.

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