

ASSEMBLY BILL

No. 524

Introduced by Assembly Member Mullin

February 20, 2013

An act to amend Section 519 of the Penal Code, relating to immigrants.

LEGISLATIVE COUNSEL'S DIGEST

AB 524, as introduced, Mullin. Immigrants: extortion.

Existing law defines extortion as the obtaining of property from another, with consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right. Existing law further provides that fear sufficient to constitute extortion may be induced by certain threats, including a threat to accuse the threatened individual, or his or her relative or family, of a crime.

This bill would also provide that a threat to report the threatened individual, or his or her relative or a member of his or her family, as being illegally present in the United States to a law enforcement or immigration authority may induce fear sufficient to constitute extortion. By broadening the acts that constitute a 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 519 of the Penal Code is amended to
2 read:

3 519. Fear, such as will constitute extortion, may be induced
4 by a threat, either:

5 1. To do an unlawful injury to the person or property of the
6 individual threatened or of a third person; or,

7 2. To accuse the individual threatened, or ~~any~~ a relative of ~~his~~,
8 *his or her*, or member of his *or her* family, of ~~any~~ a crime; or,

9 3. To expose, or to impute to ~~him~~ *him, her*, or them ~~any~~ a
10 deformity, disgrace or crime; or,

11 4. To expose ~~any~~ a secret affecting ~~him or them~~ *him, her, or*
12 *them*; or,

13 5. *To report him, her, or them as being illegally present in the*
14 *United States to a law enforcement or immigration authority.*

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