

AMENDED IN ASSEMBLY APRIL 22, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1782

Introduced by Assembly Member Chesbro

February 18, 2014

An act to amend Section 591 of the Penal Code, relating to property crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 1782, as amended, Chesbro. Wires: unlawful removal.

Under existing law it is a crime for any person to unlawfully and maliciously take down, remove, injure, or obstruct any line of telegraph, telephone, or cable television, or any other line used to conduct electricity, *or any part thereof, or appurtenances or apparatus connected therewith*, or to sever any wire, or make any unauthorized connection with any line, other than a telegraph, telephone, or cable television line, used to conduct electricity. Under existing law a violation of these provisions is punishable by imprisonment in a county jail not to exceed 16 months, 2 or 3 years, or by a fine not exceeding \$500, or by imprisonment in a county jail not exceeding one year.

This *bill would additionally make it a crime for any person to unlawfully and maliciously disconnect or cut a line of telegraph, telephone, or cable television, or any line used to conduct electricity, or any part thereof, or appurtenance or apparatus connected therewith. The bill would specify that a connected appurtenance or apparatus includes a backup deep cycle battery or other power supply. The bill would also increase that the above-specified fine to an amount not exceeding ~~\$50,000~~ \$10,000 per incident.*

By expanding the scope of 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: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

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

1 SECTION 1. Section 591 of the Penal Code is amended to
2 read:

3 591. A person who unlawfully and maliciously takes down,
4 removes, injures, *disconnects, cuts,* or obstructs—~~any~~ a line of
5 telegraph, telephone, or cable television, or any ~~other~~ line used to
6 conduct electricity, or any part thereof, or appurtenances or
7 apparatus connected therewith, *including, but not limited to, a*
8 *backup deep cycle battery or other power supply,* or severs any
9 wire thereof, or makes any unauthorized connection with any line,
10 other than a telegraph, telephone, or cable television line, used to
11 conduct electricity, or any part thereof, or appurtenances or
12 apparatus connected therewith, is punishable by imprisonment
13 pursuant to subdivision (h) of Section 1170, or by a fine not
14 exceeding ~~fifty thousand dollars (\$50,000)~~ *ten thousand dollars*
15 *(\$10,000)* per incident, or imprisonment in the county jail not
16 exceeding one year.

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

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