

AMENDED IN SENATE JUNE 19, 2014

AMENDED IN ASSEMBLY MAY 1, 2014

AMENDED IN ASSEMBLY APRIL 22, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1782

**Introduced by Assembly Member Chesbro
(Coauthor: Assembly Member Gatto)**

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 the above-specified fine to an amount not exceeding \$10,000 per incident~~ *make the crime punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$1,000, or by both that imprisonment and fine, or by imprisonment in a county jail for 16 months, or 2 or 3 years and a fine not exceeding \$10,000.*

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: yes.
State-mandated local program: 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 a line of telegraph,
5 telephone, or cable television, or any line used to conduct
6 electricity, or any part thereof, or appurtenances or apparatus
7 connected therewith, including, but not limited to, a backup deep
8 cycle battery or other power supply, or severs any wire thereof, or
9 makes an unauthorized connection with any line, other than a
10 telegraph, telephone, or cable television line, used to conduct
11 electricity, or any part thereof, or appurtenances or apparatus
12 connected therewith, ~~is punishable~~ *subject to punishment by*
13 *imprisonment in a county jail not exceeding one year, by a fine*
14 *not exceeding one thousand dollars (\$1,000), or by both that*
15 *imprisonment and fine, or by imprisonment in a county jail for 16*
16 *months, two or three years pursuant to subdivision (h) of Section*
17 *1170, or by a fine not exceeding ten thousand dollars (\$10,000)*
18 *per incident, or imprisonment in the county jail not exceeding one*
19 *year and a fine of up to ten thousand dollars (\$10,000).*

20 SEC. 2. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school

1 district will be incurred because this act creates a new crime or
2 infraction, eliminates a crime or infraction, or changes the penalty
3 for a crime or infraction, within the meaning of Section 17556 of
4 the Government Code, or changes the definition of a crime within
5 the meaning of Section 6 of Article XIII B of the California
6 Constitution.

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