# ASSEMBLY BILL No. 2866

### Introduced by Assembly Member Gatto

### February 19, 2016

An act to amend Section 10851.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2866, as introduced, Gatto. Binder chains.

Under existing law, a person who takes binder chains having a value of $950 or less that are not his or her own, without the owner's consent and with intent either permanently or temporarily to deprive the owner of title to or possession of the binder chains, or any party or accessory to that act, is guilty of a misdemeanor, subject to imprisonment in the county jail, a fine, or both, as specified.

This bill would make technical, nonsubstantive changes to those provisions, including deleting an obsolete cross-reference.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1     SECTION 1. Section 10851.5 of the Vehicle Code is amended
2  to read:
3     10851.5. ~~Any~~ *A* person who takes binder ~~chains, required under~~
4  ~~regulations adopted pursuant to Section 31510,~~ *chains* having a
5  value of nine hundred fifty dollars ($950) or less ~~which chains~~ *that*
6  are not his *or her* own, without the consent of the owner thereof,
7  and with intent either permanently or temporarily to deprive the

1  owner thereof of his *or her* title to or possession of the binder
2  ~~chains~~ *chains,* whether with or without intent to steal the ~~same, or~~
3  ~~any person~~ *binder chains, or a person* who is a party or accessory
4  to or an accomplice in the unauthorized taking or ~~stealing~~ *stealing,*
5  is guilty of a misdemeanor, and upon conviction thereof shall be
6  punished by imprisonment in the county jail for not less than six
7  months or by a fine of not less than one thousand dollars ($1,000)
8  or by both ~~such~~ *the* fine and imprisonment. The consent of the
9  owner of the binder chain to its taking shall not in any case be
10  presumed or implied because of ~~such~~ *the* owner's consent on a
11  previous occasion to the taking of the binder chain by the same or
12  a different person.

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