

Introduced by Senator Yee

February 25, 2009

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

LEGISLATIVE COUNSEL'S DIGEST

SB 330, as introduced, Yee. Grand theft.

Existing law establishes the offense of grand theft.

This bill would make technical, nonsubstantive changes to these provisions.

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 487 of the Penal Code is amended to
2 read:
3 487. Grand theft is theft committed in any of the following
4 cases:
5 (a) When the money, labor, or real or personal property taken
6 is of a value exceeding four hundred dollars (\$400), except as
7 provided in subdivision (b).
8 (b) Notwithstanding subdivision (a), grand theft is committed
9 ~~in any~~ *each* of the following cases:
10 (1) (A) When domestic fowls, avocados, olives, citrus or
11 deciduous fruits, other fruits, vegetables, nuts, artichokes, or other
12 farm crops are taken of a value exceeding one hundred dollars
13 (\$100).

- 1 (B) For the purposes of establishing that the value of avocados
- 2 or citrus fruit under this paragraph exceeds one hundred dollars
- 3 (\$100), that value may be shown by the presentation of credible
- 4 evidence—~~which~~ *that* establishes that on the day of the theft
- 5 avocados or citrus fruit of the same variety and weight exceeded
- 6 one hundred dollars (\$100) in wholesale value.
- 7 (2) When fish, shellfish, mollusks, crustaceans, kelp, algae, or
- 8 other aquacultural products are taken from a commercial or
- 9 research operation which is producing that product, of a value
- 10 exceeding one hundred dollars (\$100).
- 11 (3) Where the money, labor, or real or personal property is taken
- 12 by a servant, agent, or employee from his or her principal or
- 13 employer and aggregates four hundred dollars (\$400) or more in
- 14 any 12 consecutive month period.
- 15 (c) When the property is taken from the person of another.
- 16 (d) When the property taken is any of the following:
- 17 (1) An automobile, horse, mare, gelding, any bovine animal,
- 18 any caprine animal, mule, jack, jenny, sheep, lamb, hog, sow, boar,
- 19 gilt, barrow, or pig.
- 20 (2) A firearm.
- 21 (e) This section shall become operative on January 1, 1997.