

## **AB 1787, as amended on March 18, 2024, Villapudua**

### **(Highlights and italics summarize the main tenants of the proposed legislation)**

Existing law, the Safe Neighborhoods and Schools Act, enacted as an initiative statute by Proposition 47, as approved by the electors at the November 4, 2014, statewide general election, makes the theft of money, labor, or property petty theft punishable as a misdemeanor, whenever the value of the property taken does not exceed \$950. Under existing law, if the value of the property taken exceeds \$950, the theft is grand theft, punishable as a misdemeanor or a felony. Proposition 47 requires shoplifting, defined as entering a commercial establishment with the intent to commit larceny if the value of the property taken does not exceed \$950, to be punished as a misdemeanor.

*This bill would reduce the threshold amount for petty theft and shoplifting from \$950 to \$450. The bill would make a person guilty of petty theft with a prior offense if the person is convicted of petty theft or shoplifting and has one or more prior convictions for specified theft-related offenses and would make the crime punishable by imprisonment in the county jail for up to one year or as a felony for a term of 3, 5, or 7 years.*

*This bill would make a person guilty of aggregated theft if the person commits 2 or more offenses of shoplifting within a 12-month period. The bill would require aggregated theft to be punished as a misdemeanor by imprisonment in the county jail not exceeding one year or as a felony for 16 months or for 2 or 3 years. The bill would require each additional offense of shoplifting after a conviction of aggregated theft to be punished as a felony for a term of 3, 5, or 7 years.*

The bill would make the above provisions effective only upon submission to, and approval by, the voters, as specified.

Existing law, until January 1, 2026, makes a person guilty of organized retail theft if the person acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplace with the intent to sell, exchange, or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, or acts as an agent of another to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft. Under existing law, these crimes are punishable as either misdemeanors or felonies if the violations are committed on 2 or more separate occasions within a 12-month period and the aggregated value of the merchandise stolen, received, purchased, or possessed within that 12-month period exceeds \$950.

*This bill would reduce the amount of the aggregated value of the merchandise stolen, received, purchased, or possessed from \$950 to \$450. The bill would repeal the sunset provision, thereby extending the crime indefinitely. By extending the time that organized retail theft would be a crime, this bill would impose a state-mandated local program.*

Existing law, until January 1, 2026, authorizes a city or county prosecuting authority or county probation department to create a diversion or deferred entry of judgment program for persons who commit a theft offense or repeat theft offenses, as specified.

*This bill would repeal the sunset provision, thereby extending the authorization of the program indefinitely.*

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.*