An act to amend Section 33211.6 of the Public Resources Code, relating to the Santa Monica Mountains Conservancy.

LEGISLATIVE COUNSEL’S DIGEST

AB 1767, as introduced, Holden. Santa Monica Mountains Conservancy: property destruction: fines.

Existing law establishes the Santa Monica Mountains Conservancy in the Natural Resources Agency, and prescribes the membership, functions, and duties of the conservancy with regard to the preservation, protection, and management of specified lands in the Santa Monica Mountains. Existing law makes it a misdemeanor to dump any refuse matter, except pursuant to a specified permit, on property owned or managed by the conservancy, and posted against that dumping, or to injure, deface, or destroy any property owned or managed by the conservancy, and makes those crimes punishable by a fine of not more than $1,000, or imprisonment in the county jail for not more than 6 months, or both that fine and imprisonment.

This bill would increase the maximum fine for those crimes to $1,500.

Existing law also makes a violation of the posted conditions of use on any property owned or managed by the conservancy a misdemeanor punishable by imprisonment in the county jail not exceeding 90 days, or by a fine of not more than $1,000, or by both that fine and imprisonment, but provides that the judge may reduce the charged offense to an infraction, punishable by a fine of not less than $100, nor more than $500.

This bill would increase the maximum fine for a misdemeanor violation to $1,500 and would increase the fine for an infraction to not less than $250, nor more than $750.

The bill would also require that the revenues from all of those fines be deposited into the Santa Monica Mountains Conservancy Fund, and used, upon appropriation, to pay the costs of any necessary property repairs or clean up related to those violations, with any remaining funds to be used by the conservancy to award specified resource conservation and park grants.


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

P2 1 SECTION 1.
  Section 33211.6 of the Public Resources Code
  is amended to read:
  33211.6.
  (a) Dumping any refuse matter, except by permit
  signed by the executive director or the executive director’s
  authorized representative, on property owned or managed by the
  conservancy, and posted against that dumping, shall be a
  misdemeanor punishable by a fine of not more than one thousand
  dollars ($1,000) five hundred dollars ($1,500), or imprisonment
in the county jail for not more than six months, or both that fine 
and imprisonment.

(b) Injuring, defacing, or destroying any property owned or 
managed by the conservancy or any of the natural features thereof, 
shall be a misdemeanor punishable by a fine of not more than one 
thousand dollars ($1,000) five hundred dollars ($1,500), or 
imprisonment in the county jail for not more than six months, or 
both that fine and imprisonment.

(c) Violation of the posted conditions of use on any property 
owned or managed by the conservancy is a misdemeanor 
punishable by imprisonment in the county jail not exceeding 90 
days, or by a fine not exceeding one thousand dollars ($1,000) five 
hundred dollars ($1,500), or by both that fine and imprisonment, 
except that at the time a particular action is commenced, the judge 
may, considering the recommendation of the prosecuting attorney, 
reduce the charged offense from a misdemeanor to an infraction. 
Any person convicted of the offense after such a reduction shall 
be punished by a fine of not less than two hundred fifty dollars ($250), nor more than five hundred dollars ($500) seven hundred fifty dollars ($750).

d) Any revenues from the fines imposed pursuant to this section 
shall be deposited into the fund and used, upon appropriation by 
the Legislature, to pay the costs of any necessary property repairs 
or clean up related to a violation of this section, with any 
remaining funds to be used by the conservancy to award grants 
authorized by Section 33204.