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AB-2801 Crimes: memorials: veterans and law enforcement. (2017-2018)

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Assembly Bill No. 2801

CHAPTER 549

An act to amend Section 621 of the Penal Code, relating to memorials.

[Approved by Governor September 19, 2018. Filed with Secretary of State September 19, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2801, Salas. Crimes: memorials: veterans and law enforcement.

Existing law makes it a crime for a person to destroy, cut, mutilate, deface, or otherwise injure, tear down, or remove any tomb, monument, memorial, or marker in a cemetery. Existing law makes it a crime, punishable as a felony or a misdemeanor, to maliciously destroy, cut, break, mutilate, efface, or otherwise injure, tear down, or remove any veterans' memorial constructed or established in specified ways. Existing law makes it a crime, punishable as a felony or a misdemeanor, to maliciously destroy, cut, break, mutilate, efface, or otherwise injure, tear down, or remove any law enforcement memorial or firefighter's memorial.

This bill would specify that the provisions above regarding law enforcement and firefighter's memorials do not preclude prosecution under any other provision of law, including those regarding veterans' memorials.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 621 of the Penal Code is amended to read:

621. (a) Every person who maliciously destroys, cuts, breaks, mutilates, effaces, or otherwise injures, tears down, or removes any law enforcement memorial or firefighter's memorial is guilty of a crime punishable by imprisonment pursuant to subdivision (h) of Section 1170 or by imprisonment in a county jail for less than one year.

(b) This section does not preclude prosecution under any other provision of law, including Section 1318 of the Military and Veterans Code.