

SENATE BILL SB-63

Introduced by Senator Kelly Seyarto (R-32)

An act relating to Organized retail theft.

LEGISLATIVE COUNSEL'S DIGEST

SB-63, Kelly Seyarto (R-32). Organized retail theft.

Existing law allocates anti theft resources based on raw crime totals and there's no additional penalty for assaulting a retail worker. This fixes that and adds a 180 day consecutive sentence for assaulting a retail employee

Vote: Majority. Appropriations/fiscal: yes. Local program: no.

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

CALIFORNIA LEGISLATURE-2026 SIMULATION SESSION

SENATE BILL

NO. ____

Introduced by Senator Seyarto

September 15, 2026

An act to amend Section 13899 of, and to add Section 490.5 to, the Penal Code, relating to organized retail theft, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB ____, as introduced, Seyarto. Organized retail theft: regional task forces: retail employee protection.

Existing law requires the Department of the California Highway Patrol (department), in coordination with the Department of Justice, to convene a regional property crimes task force to assist local law enforcement in counties identified as having elevated levels of property crime, including, but not limited to, organized retail theft, vehicle burglary, and theft of vehicle parts and accessories, and requires the department to provide those counties with logistical support, including personnel and equipment. Existing law separately defines and punishes “organized retail theft” and shoplifting, but does not establish a separate, additional penalty for a person who assaults or batters a retail employee or security officer while committing those offenses.

This bill would amend existing law to require the department, in identifying counties to be served and in allocating task force resources, to consider both the total number of reported organized retail theft incidents and the rate of those incidents relative to retail square footage and population, so that suburban and rapidly growing counties are not systematically underserved relative to counties with larger raw incident totals. The bill would add a new section of the Penal Code establishing an additional and consecutive 180-day county jail term for a person who commits an assault or battery against a retail employee, loss prevention agent, or security officer while committing or attempting to commit organized retail theft or shoplifting. The bill would appropriate \$5,000,000 from the General Fund to the department

to implement the task force allocation changes, making this an appropriation bill. The Department of the California Highway Patrol, in coordination with the Department of Justice, would be responsible for implementation.

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

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

SECTION 1. Section 13899 of the Penal Code is amended to read:

13899. (a) The Department of the California Highway Patrol shall, in coordination with the Department of Justice, convene a regional property crimes task force to assist local law enforcement in counties identified as having elevated levels of property crime, including, but not limited to, organized retail theft, vehicle burglary, and theft of vehicle parts and accessories.

(b) The task force shall provide local law enforcement with logistical support, including, but not limited to, personnel and equipment, in consultation with task force members.

(c) In identifying counties to be served under this section, and in allocating personnel, equipment, and other resources among regional task forces, the department shall consider both the total number of reported organized retail theft incidents in a county and the rate of such incidents relative to retail square footage and population within that county, so that suburban and rapidly growing counties are not systematically underserved relative to counties with larger raw incident totals.

SEC. 2. Section 490.5 is added to the Penal Code, to read:

490.5. (a) A person who commits an assault, as defined in Section 240, or a battery, as defined in Section 242, against a retail employee, loss prevention agent, or security officer acting within the scope of employment, while committing or attempting to violate Section 490.4 or 459.5, shall receive an additional and consecutive term of imprisonment in the county jail of 180 days, in addition and consecutive to the punishment prescribed for the underlying offense.

(b) For purposes of this section, “retail employee” means a person employed at a store, shopping center, or other retail establishment, including a person employed to provide loss prevention or security services at the establishment.

(c) This section shall not be construed to limit prosecution under, or punishment pursuant to, any other provision of law.

SEC. 3. Funding and implementation.

(a) The sum of five million dollars (\$5,000,000) is hereby appropriated from the General Fund to the Department of the California Highway Patrol for the 2026–27 fiscal year for purposes of implementing subdivision (c) of Section 13899, as added by this act.

(b) The Department of the California Highway Patrol, in coordination with the Department of Justice, shall implement this act.