

Time Theft has been identified as the most expensive crime affecting Corporate America today. Employees answering personal calls, surfing the internet, taking extended breaks and lunches and abusing sick days are listed among the offenses.

While you wait for your bus, feel free to read this guide offering a condensed overview of California's laws regarding theft.

Consider the following:

- The commute to and from work
- Tending to work appropriate attire/uniform
- Answering emails and phone calls off the clock
- The unaccounted missed breaks to meet tight deadlines or cover understaffing

Section 490.5(f)(1)

A merchant

A theater owner

A person employed by a library facility

may detain a person for a reasonable time for the purpose of conducting an investigation in a reasonable manner whenever the

Merchant

theater owner

person employed by a library facility

has probable cause to believe the person to be detained is attempting to

unlawfully take or has unlawfully taken merchandise from the merchant's premises.

operate a video recording device within the premises of a motion picture theater without the authority of the owner of the theater.

unlawfully remove or has unlawfully removed books or library materials from the premises of the library facility.

General Theft Law Points

484. (a) Every person who shall

- feloniously steal
- take
- carry
- lead
- drive away
- fraudulently appropriate property
- defraud
 - money
 - labor
 - real property
 - personal property
- causes/procures others to report falsely of his/her
 - wealth
 - mercantile character
 - labor
 - real or
 - personal property
 - and by thus imposing upon any person,
 - obtains credit and thereby
 - fraudulently gets OR
 - obtains possession of
 - money,
 - property or
 - obtains the labor or service of another,
- is guilty of theft.

484.1(a) Any person who

- knowingly gives false information or
- provides false verification
 - as to the person's true identity or
 - as to the person's ownership interest in
 - property or
 - the person's authority to sell property
 - in order to
 - receive money or
 - other valuable consideration from
 - a pawnbroker or
 - secondhand dealer
 - and who
 - receives money or
 - other valuable consideration from the
 - pawnbroker or
 - secondhand dealer
- is guilty of theft.

485. One who

- finds lost property under circumstances which give him
 - knowledge of or
 - means of inquiry as to the true owner,
- and who

- o appropriates such property to his own use,
- o or to the use of another person not entitled thereto,
 - without first making reasonable and just efforts to find the owner and to restore the property to him,
- is guilty of theft.

496c. Any person who shall

- copy,
- transcribe,
- photograph or
- otherwise make
 - o a record or
 - o memorandum of the contents of any private and unpublished
 - paper,
 - book,
 - record,
 - map or
 - file,
 - containing information relating to the title to real property or
 - containing information used in the business of
 - o examining,
 - o certifying or
 - o insuring titles to real property
 - and belonging to any
 - o person,
 - o firm or
 - o corporation engaged in the business of
 - examining,
 - certifying, or
 - insuring titles to real property, without the consent of the owner of such
 - paper,
 - book,
 - record,
 - map or
 - file,
- o and with the intent to use
 - the same or
 - the contents thereof,
- o or to dispose of
 - the same or
 - the contents thereof
 - to others for use, in the business of
 - o examining,
 - o certifying, or
 - o insuring titles to real property,
- shall be guilty of theft,
- and any person who shall induce another to violate the provisions of this section by
 - o giving,
 - o offering, or
 - o promising to such another any

- gift, g
- gratuity, or
- thing of value
- or by
 - doing or
 - promising to do any act beneficial to such another,
- shall be guilty of theft;
- and any person who shall
 - receive or
 - acquire from another any
 - copy,
 - transcription,
 - photograph or
 - other record or
 - memorandum of the contents of any private and unpublished
 - paper,
 - book,
 - record,
 - map or
 - file containing information
 - relating to the title to real property
 - or containing information used in the business of
 - examining,
 - certifying or
 - insuring titles to real property,
 - with the knowledge that
 - the same
 - or the contents thereof
 - has or
 - have been
 - acquired,
 - prepared or
 - compiled in violation of this section
- shall be guilty of theft.

499c.(b) Every person is guilty of theft who,

- with intent to
 - deprive or
 - withhold the control of a trade secret from its owner,
- or with an intent to appropriate a trade secret to
 - his or
 - her own use
 - or to the use of another,
- does any of the following:
 - (1) Steals, takes, carries away, or uses without authorization, a trade secret.
 - (2) Fraudulently appropriates any article representing a trade secret entrusted to him or her.
 - (3) Having unlawfully obtained access to the article, without authority makes or causes to be made a copy of any article representing a trade secret.
 - (4) Having obtained access to the article through a relationship of trust and confidence, without authority and in breach of the

obligations created by that relationship, makes or causes to be made, directly from and in the presence of the article, a copy of any article representing a trade secret.

CALIFORNIA PENAL CODE

SECTION 484-502.9, SECTIONS ON THEFT

Theft Conviction Punishments: Hard Time

Violation	Description	Jail sentence, in work hours missed
496b.	Receive stolen property in the second degree value <\$50	173.8 hours
499b.(a)	Temporarily take bicycle	521.4 hours
490.5(a)	Petty theft from merchant or library	1042.9 hours
490	Petty theft	
484b.	Receive money to complete construction and fail to do so	
484i.(c)	Intent to use equipment or access cards without cardholder's consent	
487c	Steal real estate value <\$100	
487g	Steal animal	
489.9b)	All other grand theft	
490.1(a)	Petty theft, <\$50, no other theft convictions	
496.(a)	Knowingly own stolen property	
496.(a)	Grand jury discretion, <\$400	
496.(b)	Swap meet vendor receives stolen property <\$400	
496a (a)	Acquire public utility equipment without using due diligence to see that seller has legal right to sell	
496b.	Receive stolen property in the first degree value >\$50	
496d.(a)	Receive stolen car, special construction equipment, or harbor vessel	
498.(d)	Steal utility service >\$400, or previously convicted similarly	
499.(a)	Conviction involving a vehicle or a vessel, or grand theft previously convicted similarly	
499.(b)	Steal bicycle or vessel conviction, previously convicted similarly	
499b.(a)	Temporarily take vessel	
499c.(c)	Attempt to steal trade secret	
499d.	Operate aircraft without consent of owner	2085.7 hours
500.(b)(1)	Transmit money to foreign countries specified in the Financial Code, <\$400	
501(d)(1)	Access to computers, computer systems and computer data without authorization	
502(d)(2)(A)	Knowingly use unauthorized computer services, 1st violation and <\$400 value	
502(d)(2)(B)	Knowingly use unauthorized computer services <\$400 value, or results in victim expense of > \$5000, or injury, or 2nd violation	
502(d)(3)(B)	Knowingly provide access or access unauthorized computer, computer system or computer network resulting in victim expense of <\$5000, or injury, or 2nd violation	
502(d)(3)(C)	Knowingly provide access or access unauthorized computer, computer system or computer network resulting in victim expense of >\$5000 and <\$10000	
502(d)(4)(A)	Contaminate a computer, computer system or computer network, 1st violation, no injury	
502(d)(4)(B)	Contaminate a computer, computer system or computer network, 2nd violation, or injury	
502(d)(5)(B)	Use another's internet domain name and causes damages, 2nd violation, or causes injury	
502.6(a)	Have or own a scanning device	
502.6(b)	Have or own a reencoder	
502.8(d)	Possess illegal telecommunications equipment with intent to sell	
489.(a)	Steal a firearm	
496d.(a)	Receive stolen car, special construction equipment, or harbor vessel	
499.(a)	Conviction involving a vehicle or a vessel, or grand theft previously convicted similarly	
499.(b)	Steal bicycle or vessel, previously convicted similarly	
500.(b)(2)	Transmit money to foreign countries specified in the Financial Code, >\$400	2781.0 hours
501(d)(1)	Access computers, computer systems and computer data without authorization	
502(d)(2)(B)	Knowingly use unauthorized computer services <\$400 value, or results in victim expense of > \$5000, or injury, or 2nd violation	
502(d)(3)(C)	Knowingly provide access or accesses unauthorized computer, computer system or computer network resulting in victim expense of >\$5000 and <\$10000	
489.(a)	Steal a firearm	
496d.(a)	Receive stolen car, special construction equipment, or harbor vessel	
499.(a)	Conviction involving a vehicle or a vessel, or grand theft previously convicted similarly	
499.(b)	Steal bicycle or vessel conviction, previously convicted similarly	
500.(b)(2)	Transmit money to foreign countries specified in the Financial Code, >\$400	4171.4 hours
501(d)(1)	Access to computers, computer systems and computer data without authorization	
502(d)(2)(B)	Knowingly use unauthorized computer services <\$400 value, or results in victim expense of > \$5000, or injury, or 2nd violation	
502(d)(3)(C)	Knowingly provide access or access unauthorized computer, computer system or computer network resulting in victim expense of >\$5000 and <\$10000	
489.(a)	Steal a firearm	
496d.(a)	Receive stolen car, special construction equipment, or harbor vessel	
499.(a)	Conviction involving a vehicle or a vessel, or grand theft previously convicted similarly	
499.(b)	Steal bicycle or vessel conviction, previously convicted similarly	
500.(b)(2)	Transmit money to foreign countries specified in the Financial Code, >\$400	6257.1 hours
501(d)(1)	Access to computers, computer systems and computer data without authorization	
502(d)(2)(B)	Knowingly use unauthorized computer services <\$400 value, or results in victim expense of > \$5000, or injury, or 2nd violation	
502(d)(3)(C)	Knowingly provide access or access unauthorized computer, computer system or computer network resulting in victim expense of >\$5000 and <\$10000	
502.8(c)	Previous conviction, possess or use illegal telecommunications equipment to avoid payment for lawful charges	Indeterminable hours
502.8(e)	Possess 10+ illegal telecommunications equipment with intent to sell	
502.8(f)	Manufactures 10+ illegal telecommunications equipment	

CALIFORNIA PENAL CODE

SECTION 484-502.9, SECTIONS ON THEFT

Theft Conviction Punishments: Fines

Violation	Description	Maximum fine, in minimum wage labor
490.1(a)	Petty theft value <\$50, no convictions	
496a (a)	Acquire public utility equipment without using due diligence to see that seller has legal right to sell	25.5 hours
499b.(a)	Temporarily take bicycle	40.9 hours
490.5(c)	Steal merchandise	
490.5(b)	Petty theft from merchant or library, injury	51.1 hours
487c	Steal real estate value <\$100	
490	Petty theft	
490.1(a)	Petty theft, <\$50, no other theft convictions	
496d.(a)	Receive stolen car, special construction equipment, or harbor vessel	
499b.(a)	Temporarily take vessel	
500.(b)(1)	Transmit money to foreign countries specified in the Financial Code, <\$400	102.1 hours
502(d)(3)(A)	Knowingly provide access or access unauthorized computer, computer system or computer network, 1st offense, no injury	
502(d)(5)(A)	Use another's internet domain name and causes damages	
502.6(a)	Have or own a scanning device	
502.6(b)	Have or own a reencoder	
490.5(a)	Petty theft from merchant or library	
499c.(c)	Attempt to steal trade secret	
501(d)(1)	Access to computers, computer systems and computer data without authorization	
502(d)(2)(A)	Knowingly use unauthorized computer services, 1st violation and <\$400 value	
502(d)(2)(B)	Knowingly use unauthorized computer services <\$400 value, or results in victim expense of> \$5000, or injury, or 2nd violation	
502(d)(3)(B)	Knowingly provides access or access unauthorized computer, computer system or computer network resulting in victim expense of <\$5000, or injury, or 2nd violation	510.7 hours
502(d)(3)(C)	Knowingly provides access or access unauthorized computer, computer system or computer network resulting in victim expense of >\$5000 and <\$10000	
502(d)(4)(A)	Contaminate a computer, computer system or computer network, 1st violation, no injury	
502(d)(5)(B)	Use another's internet domain name and causes damages, 2nd violation, or causes injury	
484b.	Receive money to complete construction	
496d.(a)	Receive stolen car, special construction equipment, or harbor vessel	
499d.	Operate aircraft without consent of owner	
500.(b)(2)	Transmit money to foreign countries specified in the Financial Code, >\$400	
501(d)(1)	Access computers, computer systems and computer data without authorization	
502(d)(2)(B)	Knowingly use unauthorized computer services <\$400 value, or results in victim expense of> \$5000, or injury, or 2nd violation	1021.5 hours
502(d)(3)(C)	Knowingly provide access or access unauthorized computer, computer system or computer network resulting in victim expense of >\$5000 and <\$10000	
502(d)(4)(B)	Contaminate a computer, computer system or computer network, 2nd violation, or injury	
502.8(d)	Posess illegal telecommunications equipment with intent to sell	
502.8(c)	Posess or use illegal telecommunications equipment to avoid payment for lawful charges, previously convicted similarly	
502.8(e)	Posess 10+ illegal telecommunications equipment with intent to sell	5107.3 hours
502.8(f)	Manufacture 10+ illegal telecommunications equipment	

Categories of Theft, Condensed & Organized

Grand Theft

484e. Access Cards

- a) Sell, transfer or convey access card
- b) Acquire access cards issued in the names of four or more persons
- d) Retain access card account information
 - With intent to defraud
 - Without cardholder's consent

484g.

- Use access card or account information for anything of value
- Fraudulently
 - Over \$400 in a 6 month period

484h

- a) Furnish anything of value upon presentation of access card
 - With knowledge of fraudulent access card
 - Receive payment over \$400 in a 6 month period

487 Grand Theft - theft in the following cases

- a) Take money, labor, real or personal property over \$400
- b) Following cases
 - 1) Farm crops
 - (A) Take farm crops with value over \$100
 - (B) Weight of avocados or citrus fruit amounts to over \$100 using current wholesale value
 - 2) Take aquacultural products from commercial or research operations over \$100
 - 3) Take money labor, real or personal property over \$400 in a 12 month period by servant, agent, or employee
- c) Take property from the person of another
- d) Following cases
 - 1) Take automobile, horse, mare, gelding, bovine, caprine animal, mule, jack, jenny, sheep, lamb, hog, sow, boar, gilt, barrow, pig
 - 2) Take firearm

487a

- a) Take, transport or carry carcass of bovine, caprine, equine, ovine, suine animal, mule, jack or jenny
 - Fraudulently appropriated
 - Belonging to another person
- b) Killed without the consent of the owner

487b Convert real estate over \$100 into personal property feloniously by severing property from realty of another

487d Take gold dust, amalgam or quicksilver

- From mining claim, tunnel, sluice, undercurrent, riffle box or sulfurate machine

487e Take dog of another with value of over \$400

487h.

- a) Take cargo of another with value of over \$400

487i Defraud housing program or public housing more than \$400

Petty Theft

484e.

- c) Acquire or retain possession of access card
 - With intent to defraud
 - Without cardholder's consent

487c Convert real estate under \$100 into personal property feloniously by severing property from realty of another

487f Take cog of another with value of under \$400

488 Theft in other cases.

Misdemeanors

484i.

- (a) Possess an incomplete access card with intent to complete it without consent of the issuer

484j.

- Publish number or code of existing, canceled, revoked, expired or nonexistent access card, bank account number
- Publish numbering or coding employed in issuance of access cards
 - Intent or belief that payment or lawful charges will be avoided or defraud

498

- (b) Deprive utility part of a full lawful charge for utility services
 - 1) Divert services
 - 2) Prevent device from measuring charge for utility service
 - 3) Tamper with property owned by utility
 - 4) Unauthorized connection to utility property to provide utility service
 - 5) Receive benefit of utility service with knowledge of diversion, tampering or unauthorized connection

499b

- (b) Take vessel to temporarily use
 - Without owner's permission

500

- (a) Receive money for transmitting to a foreign country, and fail to
 - 1) Forward money within 10 days
 - 2) Give instructions to commit funds to designated person
 - 3) Refund any money not forwarded

502.6

- (a) Possess or use a scanning device to access information on encoded magnetic strip
 - With intent to defraud
 - Without permission of authorized user of card
- (b) Use a reencoder to place information on encoded magnetic strip
 - That allows authorized transactions to occur without permission of authorized user

502.7

- (a) Deprive telephone provider of lawful charges
 - 1) Charge service to credit card without authority of subscriber
 - 2) Charge service to non-existent telephone number or credit card number
 - 3) Use of a code to send and receive information
 - 4) Rearrange or tamper with equipment, or use equipment known to be tampered with
 - 5) Use of other deception
- (b) The following cases
 - 1) Create or possess a device that avoids any lawful telephone toll charge
 - 2) Share plans for a device that avoids lawful telephone toll charges
- (c) Publish code of credit card with intent to avoid payment of any lawful telephone charges
- (d) Allow another to fraudulently obtain telecommunications services with device

502.8

- (a) Knowingly advertise illegal telecommunications equipment
- (b) Possess or use illegal telecommunications equipment avoiding

toll charges

496

- (b) Buy or receive stolen property under \$400 as a swap meet vendor

499b

- (a) Take a bicycle to use it without consent of owner

Felonies

500

- (a) Receive money for transmitting to a foreign country, and fail to
 - 1) Forward money within 10 days
 - 2) Give instructions to commit funds to designated person
 - 3) Refund any money not forwarded

502.7

- (b) The following cases
 - 1) Create or possess a device that avoids any lawful telephone toll charge
 - 2) Share plans for a device that avoids lawful telephone toll charges
- (d) Allow another to fraudulently obtain telecommunications services with device
- (g) Theft under section 502.7 by person with previous conviction under this section within the past five years.

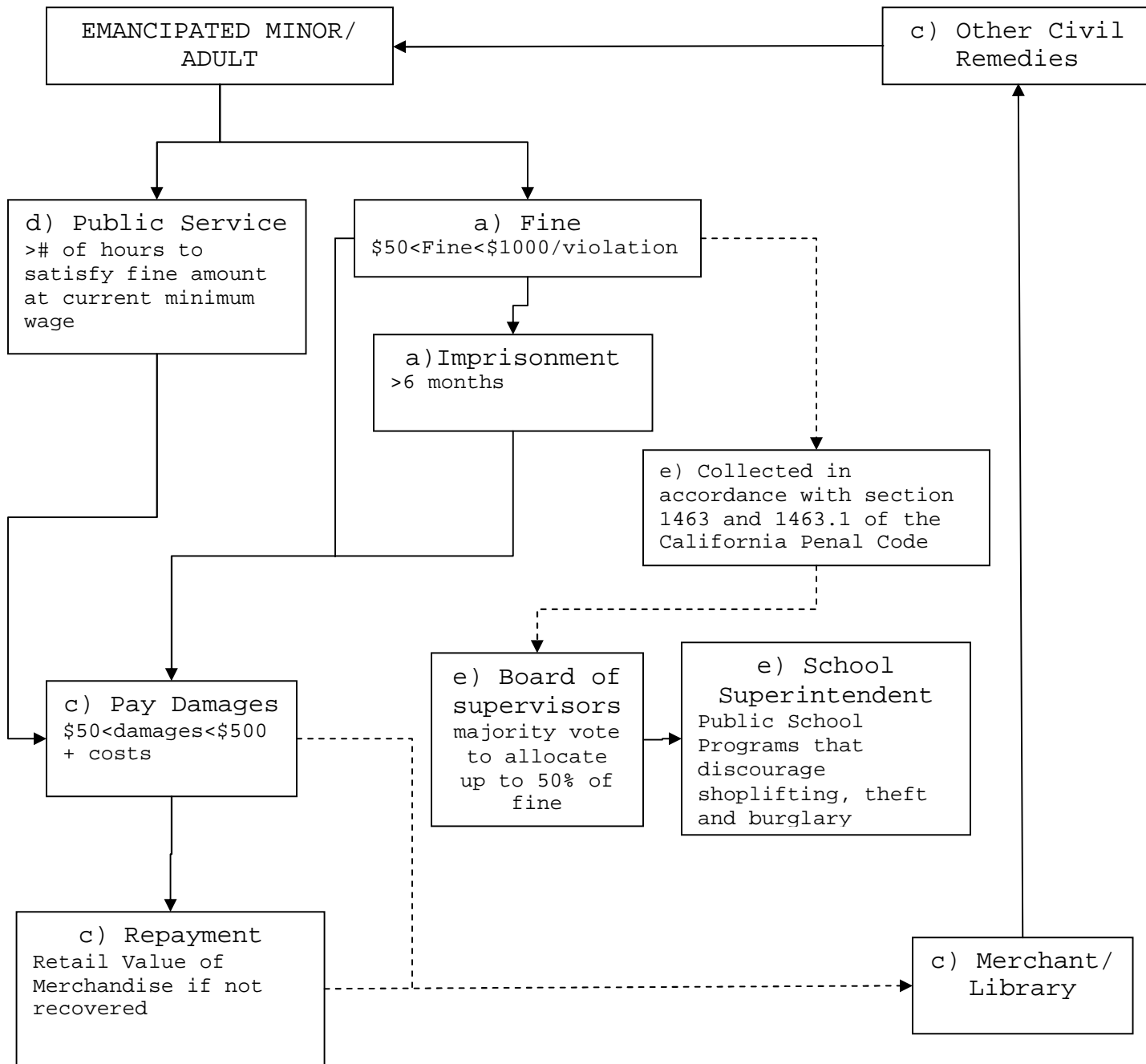
499d.

- (a) Take an aircraft to use it without consent of owner, regardless of intent

502.8

- (c) Possess or use illegal telecommunications equipment
- (e) Possess 10 or more illegal telecommunications equipment items
- (f) Manufacture 10 or more illegal telecommunications equipment items
 - Intention to sell or offer to sell
 - Intention to avoid payment of lawful charge for telecommunications services

Example of Punishment for Theft Flowchart
Section 490.1 Petty Theft



Alphabetized & Collated Glossary

499c.(a)(1) **"Access"** means to approach, a way or means of approaching, nearing, admittance to, including to instruct, communicate with, store information in, or retrieve information from a computer system or computer network.

502(b)(1) **"Access"** means to gain entry to, instruct, or communicate with the logical, arithmetical, or memory function resources of a computer, computer system, or computer network.

484d.(2) **"Access card"** means any card, plate, code, account number, or other means of account access that can be used, alone or in conjunction with another access card, to obtain money, goods, services, or any other thing of value, or that can be used to initiate a transfer of funds, other than a transfer originated solely by a paper instrument

499c.(a)(2) **"Article"** means any object, material, device, or substance or copy thereof, including any writing, record, recording, drawing, sample, specimen, prototype, model, photograph, micro-organism, blueprint, map, or tangible representation of a computer program or information, including both human and computer readable information and information while in transit.

499c.(a)(3) **"Benefit"** means gain or advantage, or anything regarded by the beneficiary as gain or advantage, including benefit to any other person or entity in whose welfare he or she is interested.

490.5(g)(4) The terms **"book or other library materials"** include any book, plate, picture, photograph, engraving, painting, drawing, map, newspaper, magazine, pamphlet, broadside, manuscript, document, letter, public record, microform, sound recording, audiovisual material in any format, magnetic or other tape, electronic data-processing record, artifact, or other documentary, written or printed material regardless of physical form or characteristics, or any part thereof, belonging to, on loan to, or otherwise in the custody of a library facility.

484d.(4) **"Card issuer"** means any person who issues an access card or the agent of that person with respect to that card.

484d.(10) **"Card making equipment"** means any equipment, machine, plate, mechanism, impression, or other device designed, used, or intended to be used to produce an access card.

484d.(1) **"Cardholder"** means any person to whom an access card is issued or any person who has agreed with the card issuer to pay obligations arising from the issuance of an access card to another person.

487h.(b) For the purposes of this section, "cargo" means any goods, wares, products, or manufactured merchandise that has been loaded into a trailer, railcar, or cargo container, awaiting or in transit.

502(b)(10) **"Computer contaminant"** means any set of computer instructions that are designed to modify, damage, destroy, record, or transmit information within a computer, computer system, or computer network without the intent or permission of the owner of the information. They include, but are not limited to, a group of computer instructions commonly called viruses or worms, that are self-replicating or self-propagating and are designed to contaminate other computer programs or computer data, consume computer resources, modify, destroy, record, or transmit data, or in some other fashion usurp the normal operation of the computer, computer system, or computer network.

499c.(a)(5) **"Computer network"** means an interconnection of two or more computer systems.

502(b)(2) **"Computer network"** means any system that provides communications between one or more computer systems and input/output

devices including, but not limited to, display terminals and printers connected by telecommunication facilities.

499c.(a)(6) **"Computer program"** means an ordered set of instructions or statements, and related information that, when automatically executed in actual or modified form in a computer system, causes it to perform specified functions.

502(b)(3) **"Computer program or software"** means a set of instructions or statements, and related data, that when executed in actual or modified form, cause a computer, computer system, or computer network to perform specified functions.

502(b)(4) **"Computer services"** includes, but is not limited to, computer time, data processing, or storage functions, or other uses of a computer, computer system, or computer network.

499c.(a)(4) **"Computer system"** means a machine or collection of machines, one or more of which contain computer programs and information, that performs functions, including, but not limited to, logic, arithmetic, information storage and retrieval, communications, and control.

502(b)(5) **"Computer system"** means a device or collection of devices, including support devices and excluding calculators that are not programmable and capable of being used in conjunction with external files, one or more of which contain computer programs, electronic instructions, input data, and output data, that performs functions including, but not limited to, logic, arithmetic, data storage and retrieval, communication, and control.

499c.(a)(7) **"Copy"** means any facsimile, replica, photograph or other reproduction of an article, and any note, drawing or sketch made of or from an article.

484d.(8) **"Counterfeit access card"** means any access card that is counterfeit, fictitious, altered, or forged, or any false representation or depiction of an access card or a component thereof.

498.(a)(3) **"Customer"** means the person in whose name utility service is provided.

502(b)(6) **"Data"** means a representation of information, knowledge, facts, concepts, computer software, computer programs or instructions. Data may be in any form, in storage media, or as stored in the memory of the computer or in transit or presented on a display device.

498.(a)(5) **"Divert"** means to change the intended course or path of electricity, gas, or water without the authorization or consent of the utility.

484d.(3) **"Expired access card"** means an access card which shows on its face it has elapsed.

502.8(g) For purposes of this section, **"illegal telecommunications equipment"** means equipment that operates to evade the lawful charges for any telecommunications service; surreptitiously intercept electronic serial numbers or mobile identification numbers; alter electronic serial numbers; circumvent efforts to confirm legitimate access to a telecommunications account; conceal from any telecommunications service provider or lawful authority the existence, place of origin, or destination of any telecommunication; or otherwise facilitate any other criminal conduct. "Illegal telecommunications equipment" includes, but is not limited to, any unauthorized electronic serial number or mobile identification number, whether incorporated into a wireless telephone or other device or otherwise. Items specified in this paragraph shall be considered illegal telecommunications equipment notwithstanding any statement or

disclaimer that the items are intended for educational, instructional, or similar purposes.

484d.(6) An access card is **"incomplete"** if part of the matter other than the signature of the cardholder which an issuer requires to appear on the access card before it can be used by a cardholder has not been stamped, embossed, imprinted, or written on it.

502(b)(8) **"Injury"** means any alteration, deletion, damage, or destruction of a computer system, computer network, computer program, or data caused by the access, or the denial of access to legitimate users of a computer system, network, or program.

502.01.(a)(3) **"Interest"** means any property interest in the property subject to forfeiture.

502(b)(11) **"Internet domain name"** means a globally unique, hierarchical reference to an Internet host or service, assigned through centralized Internet naming authorities, comprising a series of character strings separated by periods, with the rightmost character string specifying the top of the hierarchy.

490.5(g)(5) The term **"library facility"** includes any public library; any library of an educational, historical or eleemosynary institution, organization or society; any museum; any repository of public records.

490.5(g)(1) **"Merchandise"** means any personal property, capable of manual delivery, displayed, held or offered for retail sale by a merchant.

490.5(g)(2) **"Merchant"** means an owner or operator, and the agent, consignee, employee, lessee, or officer of an owner or operator, of any premises used for the retail purchase or sale of any personal property capable of manual delivery.

502.6(e)(3) **"Payment card"** means a credit card, debit card, or any other card that is issued to an authorized user and that allows the user to obtain, purchase, or receive goods, services, money, or anything else of value.

498.(a)(1) **"Person"** means any individual, or any partnership, firm, association, corporation, limited liability company, or other legal entity.

502.01.(a)(1) **"Property subject to forfeiture"** means any property of the defendant that is illegal telecommunications equipment as defined in subdivision (g) of Section 502.8, or a computer, computer system, or computer network, and any software or data residing thereon, if the telecommunications device, computer, computer system, or computer network was used in committing a violation of, or conspiracy to commit a violation of, subdivision (b) of Section 272, Section 288, 288.2, 311.1, 311.2, 311.3, 311.4, 311.5, 311.10, 311.11, 422, 470, 470a, 472, 475, 476, 480, 483.5, 484g, or subdivision (a), (b), or (d) of Section 484e, subdivision (a) of Section 484f, subdivision (b) or (c) of Section 484i, subdivision (c) of Section 502, or Section 502.7, 502.8, 529, 529a, or 530.5, 537e, 593d, 593e, or 646.9, or was used as a repository for the storage of software or data obtained in violation of those provisions. Forfeiture shall not be available for any property used solely in the commission of an infraction. If the defendant is a minor, it also includes property of the parent or guardian of the defendant.

484j. As used in this section, **"publishes"** means the communication of information to any one or more persons, either orally, in person or by telephone, radio or television, or on a computer network or computer bulletin board, or in a writing of any kind, including without limitation a letter or memorandum, circular or handbill, newspaper or magazine article, or book.

502.7 (c) As used in this section, "**publishes**" means the communication of information to any one or more persons, either orally, in person or by telephone, radio, or television, or electronic means, including, but not limited to, a bulletin board system, or in a writing of any kind, including without limitation a letter or memorandum, circular or handbill, newspaper, or magazine article, or book.

498.(a)(7) "**Reconnection**" means the reconnection of utility service by a customer or other person after service has been lawfully disconnected by the utility.

502.6(e)(2) "**Reencoder**" means an electronic device that places encoded information from the magnetic strip or stripe of a payment card on to the magnetic strip or stripe of a different payment card.

484d.(5) "**Retailer**" means every person who is authorized by an issuer to furnish money, goods, services, or anything else of value upon presentation of an access card by a cardholder.

499c.(a)(8) "**Representing**" means describing, depicting, containing, constituting, reflecting or recording.

484d.(7) "**Revoked access card**" means an access card which is no longer authorized for use by the issuer, that authorization having been suspended or terminated and written notice thereof having been given to the cardholder.

502.6(e)(1) "**Scanning device**" means a scanner, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, information encoded on the magnetic strip or stripe of a payment card.

502.01.(a)(4) "**Security interest**" means an interest that is a lien, mortgage, security interest, or interest under a conditional sales contract.

502.01.(a)(2) "**Sentencing court**" means the court sentencing a person found guilty of violating or conspiring to commit a violation of subdivision (b) of Section 272, Section 288, 288.2, 311.1, 311.2, 311.3, 311.4, 311.5, 311.10, 311.11, 422, 470, 470a, 472, 475, 476, 480, 483.5, 484g, or subdivision (a), (b), or (d) of Section 484e, subdivision (d) of Section 484e, subdivision (a) of Section 484f, subdivision (b) or (c) of Section 484i, subdivision (c) of Section 502, or Section 502.7, 502.8, 529, 529a, 530.5, 537e, 593d, 593e, or 646.9, or, in the case of a minor, found to be a person described in Section 602 of the Welfare and Institutions Code because of a violation of those provisions, the juvenile court.

490.5(g)(b) For the purposes of this section, the term "**special construction equipment**" is limited to motorized vehicles and vessels.

502(b)(7) "**Supporting documentation**" includes, but is not limited to, all information, in any form, pertaining to the design, construction, classification, implementation, use, or modification of a computer, computer system, computer network, computer program, or computer software, which information is not generally available to the public and is necessary for the operation of a computer, computer system, computer network, computer program, or computer software.

498.(a)(6) "**Tamper**" means to rearrange, injure, alter, interfere with, or otherwise prevent from performing a normal or customary function.

490.5(g)(3) "**Theater owner**" means an owner or operator, and the agent, employee, consignee, lessee, or officer of an owner or operator, of any premises used for the exhibition or performance of motion pictures to the general public.

490a. Wherever any law or statute of this state refers to or mentions larceny, embezzlement, or stealing, said law or statute shall hereafter

be read and interpreted as if the word "**theft**" were substituted therefor.

499c.(a)(9) "**Trade secret**" means information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

(A) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and

(B) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.498. (a) (2) "Utility" means any electrical, gas, or water corporation as those terms are defined in the Public Utilities Code, and electrical, gas, or water systems operated by any political subdivision.

484d.(9) "**Traffic**" means to transfer or otherwise dispose of property to another, or to obtain control of property with intent to transfer or dispose of it to another. 498. (a) (4) "Utility service" means the provision of electricity, gas, water, or any other service provided by the utility for compensation.

502.01.(a)(5) "**Value**" has the following meanings:

(A) When counterfeit items of computer software are manufactured or possessed for sale, the "value" of those items shall be equivalent to the retail price or fair market price of the true items that are counterfeited.

(B) When counterfeited but unassembled components of computer software packages are recovered, including, but not limited to, counterfeited computer diskettes, instruction manuals, or licensing envelopes, the "value" of those components of computer software packages shall be equivalent to the retail price or fair market price of the number of completed computer software packages that could have been made from those components.

490.5(g)(b) For the purposes of this section, the "**vessel**" is limited to motorized vehicles and vessels.

502(b)(9) "**Victim expenditure**" means any expenditure reasonably and necessarily incurred by the owner or lessee to verify that a computer system, computer network, computer program, or data was or was not altered, deleted, damaged, or destroyed by the access.