
CONSENT

Bill No: AB 1583
Author: Rogers (D)
Introduced: 1/13/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/9/26
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

ASSEMBLY FLOOR: 71-0, 3/12/26 (Consent) - See last page for vote

SUBJECT: Criminal procedure: jurisdiction

SOURCE: Sonoma County District Attorney's Office

DIGEST: This bill expands jurisdiction for a criminal action for wage theft or labor trafficking to include the county in which the victim was present at the time the employment contract was entered into, the county in which any portion of the work was performed, or the county in which the business or any of its locations was situated at the time of the wage theft or labor trafficking; allows multiple related cases of wage theft and human trafficking to be tried in the same jurisdiction; and extends jurisdiction to all associated offenses connected together in their commission to an underlying wage theft or labor trafficking offense.

ANALYSIS:

Existing law:

- 1) Provides that every person who defrauds any other person of money, labor, or property, whether real or personal, or who fraudulently obtains the labor or service of another, is punishable in the same manner and extent as theft of the money or property so obtained. (Penal (Pen.) Code, § 532, subd. (a).)
- 2) Makes it a misdemeanor to violate various sections of the Labor Code pertaining to employee compensation. (Labor (Lab.) Code, § 215.)

- 3) States that any person, or an agent, manager, superintendent, or officer thereof, who does the following, is guilty of a misdemeanor:
 - a) Willfully refuses to pay wages due and payable after demand has been made, having the ability to pay; or,
 - b) Falsely denies the amount or validity thereof, or that the same is due, with intent to secure for himself, his employer or other person, any discount upon such indebtedness, or with the intent to annoy, harass, oppress, hinder, delay or defraud, the person to whom such indebtedness is due. (Lab. Code, § 216.)
- 4) States that in addition to, and independent from, any other penalty provided, every person who fails to pay the wages of each employee shall be subject to the following penalties:
 - a) For each initial violation, \$100 for each failure to pay each employee; and,
 - b) For each subsequent violation, or any willful or intentional violation, \$200 for each failure to pay each employee, plus 25% of the amount willfully withheld. (Lab. Code, § 210.)
- 5) Defines “wages” for the above provisions to include all amounts for labor performed by employees of every description, whether the amount is fixed or ascertained by the standard of time, task, piece, commission basis, or other method of calculation. (Lab. Code, § 200.)
- 6) States that the intentional theft of wages in an amount greater than \$950 from any one employee, or \$2,350 in the aggregate from two or more employees, by an employer in any consecutive 12-month period may be punished as grand theft, which is a felony. (Pen. Code, § 487m, subd. (a).)
- 7) Defines “theft of wages” for purposes of grand theft as the intentional deprivation of wages, gratuities, benefits, or other compensation by fraudulent or other unlawful means with the knowledge that the wages, gratuities, benefits, or other compensation is due to the employee under the law. (Pen. Code, § 487m, subd. (b).)
- 8) Authorizes the Labor Commissioner to investigate employee complaints and provide for a hearing in any action to recover wages, penalties, and other demands for compensation, as provided. (Lab. Code, § 98, subd. (a).)

- 9) States that a person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services is guilty of human trafficking and shall be punished by imprisonment in the state prison for 5, 8, or 12 years and a fine of not more than \$500,000. (Pen. Code, § 236.1, subd. (a).)
- 10) States that, except as otherwise provided by law, the jurisdiction of every public offense is in any competent court within the jurisdictional territory in which it is committed. (Pen. Code, § 777.)
- 11) States that when a public offense is committed in part in one jurisdictional territory and in part in another, the jurisdiction of such offense is in any competent court within either jurisdiction. (Pen. Code, § 781.)
- 12) Provides that when a criminal offense is committed on the boundary of two or more counties, or within 500 yards of the boundary, territorial jurisdiction is proper within either county. (Pen. Code, § 782.)
- 13) Permits consolidation of different offenses which do not relate to the same transaction or event where there is a common element of substantial importance in their commission, such as belonging to the same class of crimes. (Pen. Code, § 954.)
- 14) States that if property taken in one jurisdictional territory by burglary, carjacking, robbery, theft, or embezzlement has been brought into another, or when property is received in one jurisdictional territory with the knowledge that it has been stolen or embezzled and the property was stolen or embezzled in another jurisdictional territory, the jurisdiction of the offense is in any competent court within either jurisdictional territory. States that jurisdiction is also proper in any contiguous jurisdictional territory if the arrest is made within the contiguous territory, the prosecution secures on the record the defendant's knowing, voluntary, and intelligent waiver of the right of vicinage, and the defendant is charged with one or more property crimes in the arresting territory. (Pen. Code, § 786, subd. (a).)
- 15) Specifies that the jurisdiction of a criminal action for theft, as defined, also includes the county where an offense involving the theft or receipt of the stolen merchandise occurred, the county in which the merchandise was recovered, or the county where any act was done by the defendant in instigating, procuring,

promoting, or aiding in the commission of a theft offense. (Pen. Code, § 786.5, subd. (b).)

- 16) States that if multiple offenses of theft or receiving stolen property involving the same merchandise, the same scheme, or substantially similar activity occur in multiple jurisdictions, then any of those jurisdictions is a proper jurisdiction for all offenses. States that jurisdiction also extends to all associated offenses connected together in their commission to the underlying offenses. (Pen. Code, § 786.5, subd. (b).)
- 17) Provides that if one or more specified human trafficking, pimping, and pandering offenses occur in more than one jurisdictional territory, the jurisdiction of any of those offenses, and for any offenses properly joinable with that offense, is in any jurisdiction where at least one of the offenses occurred, subject to the following conditions:
- 18) Indicates the consolidation of the cases is subject to a joinder hearing, within the jurisdiction of the proposed trial court.
- 19) Requires that the prosecution presents written evidence that all district attorneys in counties with jurisdiction of the offenses agree to the venue.
- 20) Establishes that charged offenses from jurisdictions in which there is no written agreement from the district attorney must be returned to that county.
- 21) States that the court must consider the location and complexity of the likely evidence, where the majority of the offenses occurred, the rights of the defendant and the people, and the convenience of, or hardship to, the victims and witnesses. (Pen. Code, § 784.7, subd. (c).)

This bill:

- 1) Provides that the jurisdiction of a criminal action for wage theft, as specified, or labor trafficking, as specified, includes the county in which the victim resided at the time of the wage theft or labor trafficking, the county in which the victim was present at the time the employment contract was entered into, the county in which any portion of the work was performed, or the county in which the business or any of its locations was situated at the time of the wage theft or labor trafficking.

- 2) States that if multiple offenses of wage theft or labor trafficking involving the same defendant or defendants occur in multiple jurisdictions, then any of those jurisdictions is a proper jurisdiction for all of the offenses, subject to a hearing to determine if there is good cause to consolidate the cases. Requires that at the hearing, the prosecution must present written evidence that all district attorneys in counties with jurisdiction over the offenses agree to the venue. Requires that charged offenses from jurisdictions where there is not a written agreement from the district attorney be returned to that jurisdiction.
- 3) Extends jurisdiction to all associated offenses connected together in their commission to an underlying wage theft or labor trafficking offenses.

Background

Territorial jurisdiction for a criminal offense is generally proper in any competent court within the jurisdictional territory where it was committed. (Pen. Code, § 777.) In other words, criminal charges must normally be brought in the county where the crime is alleged to have happened. When an offense is committed in part in one jurisdictional territory and in part in another, the jurisdiction of such offense is in any competent court within either jurisdiction. (Pen. Code, § 781.)

Additionally, the rules governing joinder of criminal cases allow prosecutors to charge multiple offenses in a single accusatory pleading (in a single court) when there are two or more different offenses that are connected in their commission, different statements of the same offense, or two or more different offenses of the same class of crime. (Pen. Code, § 954.) A court may, in the interests of justice and for good cause shown, order the different offenses or counts in the accusatory pleading be tried separately or divided into two or more groups and each of said groups tried separately. (See *Belton v. Superior Court (People)* (1993) 19 Cal.App.4th 1279, 1281.)

Cases of human trafficking, sexual assault, kidnapping, burglary, assault with intent to commit a specified sex offense, homicide, theft, including retail theft and shoplifting, robbery, identity theft, incest, and revenge porn, that occur in multiple counties can be consolidated into a single trial, and then tried in a single county. (See Pen. Code, §§ 784.5, 784.7, 785, 786, 786.5, 789, 790, and 791.) The court still has discretion to separate these cases in the interest of justice and for good cause. (*Ibid.*) The court must consider the location and complexity of the likely evidence, where the majority of the offenses occurred, the rights of the defendant and the people, and the convenience of, or hardship to, victims and witnesses. Additionally, consolidation based on specified offenses against a single defendant

across multiple jurisdictions requires district attorneys in each county to agree to try all counts in one identified county.

Wage theft is punishable as a misdemeanor or felony in California, depending on the value of the wages stolen. Any person, or an agent, manager, superintendent, or officer of that person, who does the following is guilty of a misdemeanor:

- a) Having the ability to pay, willfully refuses to pay wages due and payable after demand has been made; or,
- b) Falsely denies the amount or validity thereof, or that the same is due, with intent to secure for himself, his employer or other person, any discount upon such indebtedness, or with the intent to annoy, harass, oppress, hinder, delay or defraud, the person to whom such indebtedness is due. (Lab. Code, § 216.)

Existing law defines “wages” for the above provisions to include all amounts for labor performed by employees of every description, whether the amount is fixed or ascertained by the standard of time, task, piece, commission basis, or other method of calculation. (Lab. Code, § 200.)

Additionally, the intentional theft of wages in an amount greater than \$950 from any one employee, or \$2,350 in the aggregate from two or more employees, by an employer in any consecutive 12-month period may be punished as grand theft, which is a felony. (Pen. Code, § 487m, subd. (a).) For purposes of grand theft, “theft of wages” is defined as the intentional deprivation of wages, gratuities, benefits, or other compensation by fraudulent or other unlawful means with the knowledge that the wages, gratuities, benefits, or other compensation is due to the employee under the law. (Pen. Code, § 487m, subd. (b).)

There is no jurisdiction statute specifically for wage theft. The jurisdiction of a criminal action for general theft, as specified, includes the county where an offense involving the theft or receipt of the stolen merchandise occurred, the county in which the merchandise was recovered, or the county where any act was done by the defendant in instigating, procuring, promoting, or aiding in the commission of a theft offense. If multiple offenses of theft occur in multiple jurisdictions, involving the same defendant or defendants and the same property or scheme, then any of those jurisdictions is a proper jurisdiction for all of the offenses, subject to a hearing. At the hearing, the prosecution must present written evidence that all district attorneys in counties with jurisdiction over the offenses agree to the venue. Charged offenses from jurisdictions where there is not a written agreement from

the district attorney must be returned to that jurisdiction. Jurisdiction also extends to all associated offenses connected together in their commission to the underlying theft offenses. (Pen. Code, § 786.5 (b).)

A person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services is guilty of human trafficking which is punishable by imprisonment in the state prison for 5, 8, or 12 years and a fine of not more than \$500,000. (Pen. Code, § 236.1, subd. (a).)

If more than one violation of the state's human trafficking statute occurs in more than one jurisdictional territory, the jurisdiction of any of those offenses, and for any offenses properly joinable with that offense, is in any jurisdiction where at least one of the offenses occurred, subject to a hearing. (Pen. Code, § 784.7, subd. (c).) In determining whether all counts in the complaint should be joined in one county for prosecution, the court must consider the location and complexity of the likely evidence, where the majority of the offenses occurred, the rights of the defendant and the people, and the convenience of, or hardship to, the victim or victims and witnesses. At the hearing, the prosecution must present written evidence that all district attorneys in counties with jurisdiction over the offenses agree to the venue. Charged offenses from jurisdictions where there is not a written agreement from the district attorney must be returned to that jurisdiction.

The existing code sections governing jurisdiction of a criminal action for theft do not specifically cover acts for wage theft, and only some cases of wage theft fit into existing code sections. This leads to uncertainty in wage theft investigations when workers face situations where their employer lives or works in a location separate from the one where they reside.

This bill allows for wage theft and labor trafficking to be tried in any county where: (a) a victim resided at the time of the wage theft or labor trafficking; (b) a victim was present at the time the employment contract was entered into; (c) any portion of the work was performed; or (d) the business or any of its locations were situated at the time of the wage theft or labor trafficking.

This section may be overly broad because, in some cases, these locations may not have a reasonable nexus to the commission of the crime. Where any portion of the work was performed could include a county where someone picked up a few tools for a roof installation and immediately left the county to perform the work. In that case, there may not be a nexus to the county.

This bill also provides that if multiple offenses of wage theft or labor trafficking involving the same defendant or defendants occur in multiple jurisdictions, then any of those jurisdictions is a proper jurisdiction for all of the offenses, subject to a hearing. At the hearing, the prosecution must present written evidence that all district attorneys in counties with jurisdiction over the offenses agree to the venue. Charged offenses from jurisdictions where there is not a written agreement from the district attorney must be returned to that jurisdiction.

Finally, this bill extends jurisdiction to all associated offenses connected together in their commission to the underlying wage theft or labor trafficking offenses.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 6/9/26)

Sonoma County District Attorney's Office (source)
California District Attorneys Association
Los Angeles County District Attorney's Office

OPPOSITION: (Verified 6/9/26)

None received

ARGUMENTS IN SUPPORT: The California District Attorneys Association writes:

Labor trafficking and wage theft remain some of the most egregious and profitable criminal enterprises in the world, often victimizing some of California's most vulnerable residents. Labor trafficking and wage theft victims are often subjected to coercive and continuous exploitation at the hands of their traffickers, who profit financially while causing profound and lasting harm to their victims.

AB 1583 strengthens California's response to labor trafficking by allowing labor trafficking and wage theft prosecutions to occur in the county where the theft or trafficking occurred, where the victim resided at the time of the theft or trafficking, where any portion of the work was performed, or where the business or any of its locations were situated. This measure also closes a critical loophole by expressly authorizing coordinated prosecutions for multi-jurisdiction offenders. In this regard, AB 1583 solves for labor trafficking and

wage theft prosecutions what several other key jurisdictional statutes have solved for human trafficking, identity theft, revenge pornography, and domestic violence prosecutions.

ASSEMBLY FLOOR: 71-0, 3/12/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Lackey, Lee, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bonta, Castillo, Hoover, Johnson, Krell, Lowenthal, Quirk-Silva, Celeste Rodriguez, Valencia

Prepared by: Marshal Lawler / PUB. S. /
6/10/26 16:58:15

**** END ****