

THIRD READING

Bill No: AB 312
Author: Alanis (R)
Introduced: 1/23/25
Vote: 21

SENATE AGRICULTURE COMMITTEE: 5-0, 6/30/26
AYES: Caballero, Alvarado-Gil, Ashby, McNerney, Padilla

ASSEMBLY FLOOR: 75-0, 4/1/25 - See last page for vote

SUBJECT: Agricultural theft prevention: retention and sale of agricultural
commodity: holding and deposit of proceeds

SOURCE: Author

DIGEST: This bill requires an agricultural commissioner to hold the proceeds of the sale of an agricultural commodity that was seized from someone who was in unlawful possession of the commodity for at least 3 months before depositing the proceeds into the general fund of the county.

ANALYSIS:

Existing law:

- 1) States if, for any reason, an agricultural commodity is not released to the rightful owner after being in custody of the commissioner for 48 hours or, in the case of a highly perishable commodity, any shorter period of time that the commissioner deems necessary, the commissioner may either:
 - a) Sell the commodity by public auction or by private sale at fair market value to a commercial packer of the commodity.
 - b) Donate the commodity to a nonprofit charitable organization.

- 2) If sold, the proceeds derived from the sale of the commodity be held by the commissioner for a period of at least six months before depositing to allow time for the lawful owner of the commodity to submit satisfactory proof of ownership and obtain possession of the proceeds.
- 3) If, after retention of the proceeds for at least six months, no demand is made or if proof of ownership is not supplied, the commissioner shall deposit the proceeds of the sale of the commodity in the general fund of the county.
- 4) If the commodity is unfit for human consumption, the commissioner may destroy it.

This bill requires the commissioner to hold the proceeds of the sale of a commodity for at least 3 months instead of at least 6 months before depositing them into the general fund of the county.

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

SUPPORT: (Verified 6/30/26)

None received

OPPOSITION: (Verified 6/30/26)

None received

ARGUMENTS IN SUPPORT: According to the author:

“Agricultural commodity theft is a serious issue in farming regions, especially in my district and the greater Central Valley. From my experience in law enforcement, I’ve seen firsthand how this affects businesses. While law enforcement and state personnel work hard to return seized goods to their rightful owners, situations that last more than 48 hours or involve perishable commodities may require the agricultural commissioner to sell the items. This can be done through a public auction or a private sale at fair market value to a commercial packer.

I’ve introduced AB 312 measure to simplify the process of depositing funds from the sale of confiscated agricultural commodities when the owner doesn’t claim them within three months. The sale proceeds would go into the county general fund, which helps support ongoing agricultural inspections and enforcement efforts.”

ASSEMBLY FLOOR: 75-0, 4/1/25

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

NO VOTE RECORDED: Alvarez, Davies, DeMaio, Lee, Wicks

Prepared by: Reichel Everhart / AGRI. / (916) 651-1508

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