



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5545

by Rep. Jaime M. Andrade, Jr.

SYNOPSIS AS INTRODUCED:

720 ILCS 5/2-23 new
720 ILCS 5/19-2
720 ILCS 5/19-2.5

from Ch. 38, par. 19-2

Amends the Criminal Code of 2012. Provides that "device" for purposes of possession of burglary tools includes a vehicle security circumvention device. Provides that a person commits the offense of unlawful sale of burglary tools when he or she knowingly sells or transfers a vehicle security circumvention device with knowledge that the device will be used by the person or another to commit a violation of law. Provides that a violation of this offense is a Class A misdemeanor. Defines "vehicle security circumvention device" as a device that is capable of obtaining, intercepting, or processing information from a motor vehicle keyless entry system with the knowledge that the use of the device will be used to gain entry into a motor vehicle without the owner's consent.

LRB100 17773 SLF 32951 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 19-2 and 19-2.5 and by adding Section 2-23 as follows:

6 (720 ILCS 5/2-23 new)

7 Sec. 2-23. Vehicle security circumvention device.

8 "Vehicle security circumvention device" means a device
9 that is capable of obtaining, intercepting, or processing
10 information from a motor vehicle keyless entry system with the
11 knowledge that the use of the device will be used to gain entry
12 into a motor vehicle without the owner's consent.

13 (720 ILCS 5/19-2) (from Ch. 38, par. 19-2)

14 Sec. 19-2. Possession of burglary tools.

15 (a) A person commits possession of burglary tools when he
16 or she possesses any key, tool, instrument, device, or any
17 explosive, suitable for use in breaking into a building,
18 housetrailer, watercraft, aircraft, motor vehicle, railroad
19 car, or any depository designed for the safekeeping of
20 property, or any part thereof, with intent to enter that place
21 and with intent to commit therein a felony or theft. The trier
22 of fact may infer from the possession of a key designed for

1 lock bumping an intent to commit a felony or theft; however,
2 this inference does not apply to any peace officer or other
3 employee of a law enforcement agency, or to any person or
4 agency licensed under the Private Detective, Private Alarm,
5 Private Security, Fingerprint Vendor, and Locksmith Act of
6 2004. For the purposes of this Section, "lock bumping" means a
7 lock picking technique for opening a pin tumbler lock using a
8 specially-crafted bumpkey.

9 (a-5) In this Section, "device" includes a vehicle security
10 circumvention device.

11 (b) Sentence.

12 Possession of burglary tools is a Class 4 felony.

13 (Source: P.A. 97-1108, eff. 1-1-13.)

14 (720 ILCS 5/19-2.5)

15 Sec. 19-2.5. Unlawful sale of burglary tools.

16 (a) For the purposes of this Section:

17 "Lock bumping" means a lock picking technique for
18 opening a pin tumbler lock using a specially-crafted
19 bumpkey.

20 "Motor vehicle" has the meaning ascribed to it in the
21 Illinois Vehicle Code.

22 (b) A person commits the offense of unlawful sale of
23 burglary tools when he or she knowingly sells or transfers any
24 key, including a key designed for lock bumping, or a lock pick
25 specifically manufactured or altered for use in breaking into a

1 building, housetrailer, watercraft, aircraft, motor vehicle,
2 railroad car, or any depository designed for the safekeeping of
3 property, or any part of that property.

4 (b-5) A person commits the offense of unlawful sale of
5 burglary tools when he or she knowingly sells or transfers a
6 vehicle security circumvention device with knowledge that the
7 device will be used by the person or another to commit a
8 violation of law.

9 (c) This Section does not apply to the sale or transfer of
10 any item described in subsection (b) or (b-5) to any peace
11 officer or other employee of a law enforcement agency, or to
12 any person or agency licensed as a locksmith under the Private
13 Detective, Private Alarm, Private Security, Fingerprint
14 Vendor, and Locksmith Act of 2004, or to any person engaged in
15 the business of towing vehicles, or to any person engaged in
16 the business of lawful repossession of property who possesses a
17 valid Repossessor-ICC Authorization Card.

18 (d) Sentence. Unlawful sale of burglary tools under
19 subsection (b) of this Section is a Class 4 felony. Unlawful
20 sale of burglary tools under subsection (b-5) of this Section
21 is a Class A misdemeanor.

22 (Source: P.A. 96-1307, eff. 1-1-11.)