



Rep. Jaime M. Andrade, Jr.

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10000HB5545ham001

LRB100 17773 SLF 37851 a

1 AMENDMENT TO HOUSE BILL 5545

2 AMENDMENT NO. _____. Amend House Bill 5545 by replacing
3 everything after the enacting clause with the following:

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

7 (720 ILCS 5/2-23 new)

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

9 "Vehicle security circumvention device" means a device
10 that is capable of obtaining, intercepting, or processing
11 information from a motor vehicle keyless entry system that
12 would allow entry into a motor vehicle or start a motor
13 vehicle, without the owner's consent.

14 (720 ILCS 5/19-2) (from Ch. 38, par. 19-2)

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

1 (a) A person commits possession of burglary tools when he
2 or she possesses any key, tool, instrument, device, or any
3 explosive, suitable for use in breaking into a building,
4 housetrailer, watercraft, aircraft, motor vehicle, railroad
5 car, or any depository designed for the safekeeping of
6 property, or any part thereof, with intent to enter that place
7 and with intent to commit therein a felony or theft. The trier
8 of fact may infer from the possession of a key designed for
9 lock bumping an intent to commit a felony or theft; however,
10 this inference does not apply to any peace officer or other
11 employee of a law enforcement agency, or to any person or
12 agency licensed under the Private Detective, Private Alarm,
13 Private Security, Fingerprint Vendor, and Locksmith Act of
14 2004. For the purposes of this Section, "lock bumping" means a
15 lock picking technique for opening a pin tumbler lock using a
16 specially-crafted bumpkey. The trier of fact may infer from the
17 possession of a vehicle security circumvention device an intent
18 to commit a felony or theft; however, this inference does not
19 apply to a mechanic, a new vehicle dealer or used vehicle
20 dealer licensed under Section 5-101 or 5-102 of the Illinois
21 Vehicle Code, a locksmith licensed under the Private Detective,
22 Private Alarm, Private Security, Fingerprint Vendor, and
23 Locksmith Act of 2004, a repossession agent, or any peace
24 officer or other employee of a law enforcement agency.

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

1 (b) Sentence.

2 Possession of burglary tools is a Class 4 felony.

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

4 (720 ILCS 5/19-2.5)

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

6 (a) For the purposes of this Section:

7 "Lock bumping" means a lock picking technique for
8 opening a pin tumbler lock using a specially-crafted
9 bumpkey.

10 "Motor vehicle" has the meaning ascribed to it in the
11 Illinois Vehicle Code.

12 (b) A person commits the offense of unlawful sale of
13 burglary tools when he or she knowingly sells or transfers any
14 key, including a key designed for lock bumping, or a lock pick
15 specifically manufactured or altered for use in breaking into a
16 building, housetrailer, watercraft, aircraft, motor vehicle,
17 railroad car, or any depository designed for the safekeeping of
18 property, or any part of that property.

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

24 (c) This Section does not apply to the sale or transfer of
25 any item described in subsection (b) to any peace officer or

1 other employee of a law enforcement agency, or to any person or
2 agency licensed as a locksmith under the Private Detective,
3 Private Alarm, Private Security, Fingerprint Vendor, and
4 Locksmith Act of 2004, or to any person engaged in the business
5 of towing vehicles, or to any person engaged in the business of
6 lawful repossession of property who possesses a valid
7 Repossessor-ICC Authorization Card.

8 (c-5) Any seller of a vehicle security circumvention device
9 in this State who reaches an agreement with a buyer for the
10 purchase of the vehicle circumvention device shall conduct a
11 criminal background check of the buyer before completing the
12 purchase. A seller of a vehicle circumvention device who
13 conducts a criminal background check under this Section shall
14 not complete the purchase of the device if the background check
15 reveals that the buyer has been convicted of a felony.

16 (d) Sentence. Unlawful sale of burglary tools is a Class 4
17 felony.

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