



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0587

Introduced 2/8/2021, 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 the offense of possession of burglary tools includes possessing a vehicle security circumvention device and not being a: (1) mechanic; (2) licensed new or used vehicle dealer; (3) licensed locksmith; (4) repossession agent; or (5) State or local law enforcement officer. Provides that a violation is a Class C misdemeanor. Provides that the offense of unlawful sale of burglary tools includes knowingly selling or transferring 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 is a petty offense. Defines "vehicle security circumvention device".

LRB102 04398 RLC 14416 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  
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.

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

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

10 (a-5) A person commits possession of burglary tools when  
11 he or she possesses a vehicle security circumvention device  
12 and that person is not a:

13 (1) mechanic;

14 (2) new vehicle dealer or used vehicle dealer licensed  
15 under Section 5-101 or 5-102 of the Illinois Vehicle Code;

16 (3) locksmith licensed under the Private Detective,  
17 Private Alarm, Private Security, Fingerprint Vendor, and  
18 Locksmith Act of 2004;

19 (4) repossession agent; or

20 (5) State or local law enforcement officer.

21 (b) Sentence.

22 Possession of burglary tools in subsection (a) is a Class  
23 4 felony. Possession of burglary tools in subsection (a-5) is  
24 a Class C misdemeanor.

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

1 (720 ILCS 5/19-2.5)

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

3 (a) For the purposes of this Section:

4 "Lock bumping" means a lock picking technique for  
5 opening a pin tumbler lock using a specially-crafted  
6 bumpkey.

7 "Motor vehicle" has the meaning ascribed to it in the  
8 Illinois Vehicle Code.

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

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

20 (c) This Section does not apply to the sale or transfer of  
21 any item described in subsection (b) to any peace officer or  
22 other employee of a law enforcement agency, or to any person or  
23 agency licensed as a locksmith under the Private Detective,  
24 Private Alarm, Private Security, Fingerprint Vendor, and  
25 Locksmith Act of 2004, or to any person engaged in the business  
26 of towing vehicles, or to any person engaged in the business of

1 lawful repossession of property who possesses a valid  
2 Repossessor-ICC Authorization Card.

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

11 (d) Sentence. Unlawful sale of burglary tools under  
12 subsection (b) is a Class 4 felony. Unlawful sale of burglary  
13 tools under subsection (b-5) is a petty offense.

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