

Introduced by Senator Dutton

February 22, 2008

An act to amend Section 466 of the Penal Code, relating to burglary tools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1554, as introduced, Dutton. Burglary tools: bump keys.

Existing law provides that every person having upon him or her or in his or her possession, specified tools or other items, with the intent to feloniously break or enter any building or other specified place, is guilty of a misdemeanor.

This bill would add bump keys to the list of tools and other items that are an element of the offense.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 466 of the Penal Code is amended to
- 2 read:
- 3 466. Every person having upon him or her in his or her
- 4 possession a picklock, crow, keybit, crowbar, screwdriver, vise

1 grip pliers, water-pump pliers, slidehammer, slim jim, tension bar,
2 lock pick gun, tubular lock pick, *bump key*, floor-safe door puller,
3 master key, ceramic or porcelain spark plug chips or pieces, or
4 other instrument or tool with intent feloniously to break or enter
5 into any building, railroad car, aircraft, or vessel, trailer coach, or
6 vehicle as defined in the Vehicle Code, or who shall knowingly
7 make or alter, or shall attempt to make or alter, any key or other
8 instrument named above so that the same will fit or open the lock
9 of a building, railroad car, aircraft, vessel, trailer coach, or vehicle
10 as defined in the Vehicle Code, without being requested to do so
11 by some person having the right to open the same, or who shall
12 make, alter, or repair any instrument or thing, knowing or having
13 reason to believe that it is intended to be used in committing a
14 misdemeanor or felony, is guilty of a misdemeanor. Any of the
15 structures mentioned in Section 459 shall be deemed to be a
16 building within the meaning of this section.

17 SEC. 2. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the penalty
22 for a crime or infraction, within the meaning of Section 17556 of
23 the Government Code, or changes the definition of a crime within
24 the meaning of Section 6 of Article XIII B of the California
25 Constitution.