
THIRD READING

Bill No: AB 486
Author: Lackey (R)
Amended: 6/18/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 7/8/25

AYES: Arreguín, Seyarto, Caballero, Gonzalez, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25

AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 73-0, 6/4/25 - See last page for vote

SUBJECT: Crimes: burglary tools

SOURCE: Author

DIGEST: This bill makes possession of a key programming device, key duplicating device, and signal extender with the intent to commit burglary a misdemeanor punishable by up to six months in the county jail, a fine not to exceed \$1,000, or both.

ANALYSIS:

Existing law:

- 1) Makes the possession of a picklock, crow, keybit, crowbar, screwdriver, vise grip pliers, water-pump pliers, slidehammer, slim jim, tension bar, lock pick gun, tubular lock pick, bump key, floor-safe door puller, master key, ceramic or porcelain spark plug chips or pieces, or other instrument or tool with the intent to break into any building, railroad car, vessel, or vehicle a misdemeanor punishable by up to six months in county jail; a fine not to exceed \$1,000; or both. (Penal (Pen.) Code, §§ 19 & 466.)

- 2) Makes the possession of a key, tool, instrument, explosive, or device, or a drawing, print, or mold of a key, tool, instrument, explosive, or device designed to open, break into, tamper with, or damage a coin-operated machine with the intent to commit theft from such machine punishable by up to one year in county jail; by a fine of not more than \$1,000; or by both. (Pen. Code, § 466.3.)
- 3) Provides that every person who, with the intent to use it in the commission of an unlawful act, possesses a motor vehicle master key, or a motor vehicle wheel lock master key is guilty of a misdemeanor punishable by up to six months in county jail; a fine not to exceed \$1,000; or both. (Pen. Code, §§ 19 & 466.5, subdivision (a).)
- 4) Provides that every person who, with the intent to use it in the commission of an unlawful act, possesses a motor vehicle key with knowledge that the key was made without the consent of either the registered or legal owner is guilty of a misdemeanor punishable by up to six months in county jail; a fine not to exceed \$1,000; or both. (Pen. Code, §§ 19 & 466.7.)
- 5) Provides that every person who enters any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, floating home, railroad car, locked or sealed cargo container, whether or not mounted on a vehicle, trailer coach, any house car, inhabited camper, vehicle, when the doors are locked, aircraft, or mine or any underground portion thereof, with intent to commit theft or any felony is guilty of burglary. (Pen. Code, § 459.)
- 6) Provides that burglary of an inhabited dwelling house is burglary of the first degree punishable by up to two, four, or six years in state prison, and all other burglaries are of the second degree punishable as an alternate misdemeanor by up to one year in the county jail/felony for 16 months, two years, or three years in the county jail. (Pen. Code, §§ 460 & 461.)

This bill:

- 1) Expands the list of burglar tools to include key programming devices, key duplicating devices, and signal extenders.
- 2) Defines “key programming device” or “key duplicating device” as any device with the capability to access a vehicle’s onboard computer to allow additional keys to be made, delete keys, or remotely start the vehicle without the use of any key. A key duplicating device also includes any device with the ability to capture a key code or signal in order to remotely access a vehicle.

- 3) Defines “signal extender” as a key fob amplifier or other device that extends the signal range of a keyless entry car fob to send a coded signal to a receiver in a vehicle to lock, unlock, access a vehicle, start the engine, or interact with other remote commands associated to the vehicle’s onboard computer.

Comments

Key Cloner and Signal Amplification Car Thefts. Most newer cars are enabled with keyless or remote ignition. The fob has a signal that is transmitted to the vehicle computer system to allow the owner to start the car with the push of a button or enter without inserting a physical key. The owner can unlock or start their car by having their key fob near it.

According to Southern California police, “The added convenience of being able to start a vehicle without actually being in it is complicated by new advancements in technology being employed by thieves to steal newer cars, according to authorities. Thieves typically take advantage of keyless entry systems by using an aftermarket device – normally about the size of a cell phone or small tablet – to remotely scan for a key fob signal and quickly create a cloned key.”

(<https://ktla.com/news/consumer-business/southern-california-police-warning-residents-of-increase-in-key-cloner-car-thefts/> [as of June 23, 2025].) According to the police, “Similar devices can plug in underneath a car’s dashboard and download the vehicle’s information, which can then be programmed into a blank key fob by thieves.” (*Ibid.*; see also

<https://www.cbsnews.com/losangeles/news/police-warn-residents-about-rise-in-key-cloner-car-thefts-in-san-fernando-valley/> [as of June 23, 2025] [police warning residents of a rise in “key cloner” car thefts in the San Fernando Valley, where thieves have been using electronic devices to replicate key fobs].)

Additionally, when the car is parked outside your home, someone can come with a relay device and waive it outside. If the fob is inside the home, they will be able to pick up the signal. The relay device is able to amplify the key fob distance even when it is a thousand feet away. A second device held close to the vehicle receives the signal from the fob and another person is able to unlock and take the vehicle. (<https://gpsleaders.com/signal-amplification-relays-to-steal-cars/> [as of June 23, 2025].)

This bill expands the list of burglar tools in current law to include key programming devices, key duplicating devices, and signal extenders.

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

According to the Senate Appropriations Committee:

Fiscal Impact:

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate the crimes created by this bill. Defendants are constitutionally guaranteed certain rights during criminal proceedings, including the right to a jury trial and the right to counsel (at public expense if the defendants are unable to afford the costs of representation). Increasing penalties leads to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the numbers of people charged with an offense and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. This is a conservative estimate, based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.
- Unknown, potentially significant costs (local funds, General Fund) to the counties to incarcerate people for the crime created by this bill. The average annual cost to incarcerate one person in county jail varies by county, but likely ranges from \$70,000 to \$90,000 per year. For example, in 2021, Los Angeles County budgeted \$1.3 billion for jail spending, including \$89,580 per incarcerated person. Actual incarceration costs to counties will depend on the number of convictions and the length of each sentence. Generally, county incarceration costs are not reimbursable state mandates pursuant to Proposition 30 (2012).

SUPPORT: (Verified 8/29/25)

Arcadia Police Officers' Association

Brea Police Association

Burbank Police Officers' Association

California Association of School Police Chiefs

California Coalition of School Safety Professionals

California District Attorneys Association
California Narcotic Officers' Association
California Police Chiefs Association
California Reserve Peace Officers Association
California State Sheriffs' Association
City of Los Alamitos
City of Thousand Oaks
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Los Angeles County Sheriff's Department
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Peace Officers Research Association of California
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association

OPPOSITION: (Verified 8/29/25)

ACLU California Action
Californians United for a Responsible Budget
Felony Murder Elimination Project
Initiate Justice
Initiate Justice Action
Universidad Popular

ARGUMENTS IN SUPPORT:

According to the California State Sheriffs' Association:

Existing law makes the possession of specific instruments or tools with the intent to break into any building, railroad car, vessel, or vehicle a misdemeanor. Unfortunately, current statutes are dated and do not contemplate modern cars with smart entry technologies, which are easy targets for hackers. As automobiles are becoming

increasingly remote, thieves have created several techniques to hack the keyless entry system.

This legislative proposal recognizes the advancement of wireless technologies that have developed drastically over the last few decades, offering the public the convenience of using keyless go systems. AB 486 offers a necessary clarification in existing statute to safeguard properties and ensure criminals who take advantage of these useful tools and use them nefariously are held accountable.

ARGUMENTS IN OPPOSITION:

According to Initiate Justice:

AB 486 adds to a problematic portion of the Penal Code (PC). The bill adds to the Penal Code Section 466's list of "burglary tools" which can land someone a misdemeanor conviction for possessing the tool with criminal intent – a list that includes "screwdriver[s]". No law should criminalize possession based solely on what police or prosecutors believe is happening in the owner's mind. Moreover, no person should face criminal liability for their thoughts alone.

AB 486 is unnecessary to address the threat of carjacking. It is important to note that even if the entirety of PC 466 was removed, police would still have a tool to prevent carjackings. Namely, where an individual had criminal intent and made an act toward the commission of burglary or theft, they could be prosecuted for the crime of attempted burglary or attempted theft. Unlike PC 466, California's attempt laws provide prosecutors with a tool that doesn't rely solely on prosecutors' attempts to read a person's mind.

Expanding the PC 466 list will invite biased policing. Much like the rest of the PC 466 list, key programming devices, key duplicating devices, and signal extenders are often possessed by innocent actors, such as car mechanics and locksmiths. While PC 466's criminal intent standard might preclude some innocent actors from being convicted under AB 486, the intent standard does not prevent police from arresting and searching innocent actors. AB 486 invites police to harass car mechanics and locksmiths. Given general trends in policing, this would likely disproportionately affect people of color and less wealthy Californians.

ASSEMBLY FLOOR: 73-0, 6/4/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, 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, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Rivas

NO VOTE RECORDED: Bryan, Caloza, Lee, Ortega, Celeste Rodriguez, Zbur

Prepared by: Cheryl Anderson / PUB. S. /
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**** END ****