

Introduced by Senator Wiener

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An act to add Section 465 to the Penal Code, relating to crime.

LEGISLATIVE COUNSEL'S DIGEST

SB 23, as introduced, Wiener. Unlawful entry of a vehicle.

Existing law defines the crime of burglary to include entering a vehicle when the doors are locked with the intent to commit grand or petit larceny or a felony. Existing law make the burglary of a vehicle punishable as a misdemeanor.

This bill would make entering a vehicle with the intent to commit a theft therein a crime punishable by imprisonment in a county jail for a period not to exceed one year or imprisonment in a county jail for 16 months, or 2 or 3 years. By creating a new 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 465 is added to the Penal Code, to read:

1 465. (a) A person who enters a vehicle, as defined in Section
2 670 of the Vehicle Code, with the intent to commit a theft therein
3 is guilty of unlawful entry of a vehicle.

4 (b) Unlawful entry of a vehicle is punishable by imprisonment
5 in a county jail for a period not to exceed one year or imprisonment
6 pursuant to subdivision (h) of Section 1170.

7 (c) The provisions of this section do not restrict the application
8 of any other law. However, an act or omission punishable pursuant
9 to multiple provisions of law shall not be punished under more
10 than one provision.

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