



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5305

Introduced 2/9/2024, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

735 ILCS 5/13-102
765 ILCS 705/21 new

from Ch. 110, par. 13-102

Amends the Code of Civil Procedure to provide that illegal possession of land during a 7-year period may not be used for a claim of adverse possession. Amends the Landlord and Tenant Act to provide that no person has a right to occupy or remain on or in any real property, residence, or structure in which the person has no written property interest under a written lease or rental agreement with the owner of the property. Provides that all persons legally occupying the property, residence, or structure shall be listed by name and date of birth on leases, rental agreements, or the rental application associated with the lease or rental agreement. Provides that no subleasing is allowed unless it is specifically allowed in the tenant's written lease or rental agreement with the owner. Provides that any such violation of the lease or rental agreement does not establish legal standing to occupy or remain on or in any real property, residence, or structure by the sublessee who must vacate the property after receiving notice to vacate from the property owner of record or the owner's agent.

LRB103 37259 JRC 67379 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 13-102 as follows:

6 (735 ILCS 5/13-102) (from Ch. 110, par. 13-102)

7 Sec. 13-102. Breach of condition subsequent. No person
8 shall commence an action for the recovery of lands, nor make an
9 entry thereon, by reason of the breach of a condition
10 subsequent, unless within 7 years after the time that
11 condition is first broken. Continuing, successive or recurring
12 breaches shall not extend the time for commencing the action
13 or making the entry. Possession shall be deemed to be adverse
14 and hostile from and after the first breach of a condition
15 subsequent, notwithstanding the occurrence of successive or
16 recurrent breaches. Possession is not adverse and hostile for
17 any time during a 7-year period the person was in possession of
18 lands in violation of Section 21 of the Landlord and Tenant
19 Act.

20 (Source: P.A. 82-280.)

21 Section 10. The Landlord and Tenant Act is amended by
22 adding Section 21 as follows:

1 (765 ILCS 705/21 new)

2 Sec. 21. Illegal possession of property. No person has a
3 right or legal standing to occupy or remain on or in any real
4 property, residence, or structure in which the person has no
5 written property interest under a written lease or rental
6 agreement with the owner of the property as listed in county
7 tax records or with the owner's agent. All persons legally
8 occupying the property, residence, or structure shall be
9 listed by name and date of birth on leases, rental agreements,
10 or the rental application associated with the lease or rental
11 agreement. No subleasing shall be allowed unless it is
12 specifically allowed in the tenant's written lease or rental
13 agreement with the owner. Any such violation of the lease or
14 rental agreement does not establish legal standing to occupy
15 or remain on or in any real property, residence, or structure
16 by the sublessee who must vacate the property after receiving
17 notice to vacate from the property owner of record or the
18 owner's agent.