



Rep. Naomi D. Jakobsson

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09700HB0078ham002

LRB097 02955 RLC 53371 a

1 AMENDMENT TO HOUSE BILL 78

2 AMENDMENT NO. _____. Amend House Bill 78 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by adding
5 Section 21-5.5 as follows:

6 (720 ILCS 5/21-5.5 new)

7 Sec. 21-5.5. Criminal trespass to a safe school zone.

8 (a) As used in this Section:

9 "Employee" means a person employed by a school whose
10 relationship with that agency constitutes an employer-employee
11 relationship under the usual common law rules, and who is not
12 an independent contractor. "Employee" includes, but is not
13 limited to, a teacher, student teacher, aide, secretary,
14 custodial engineer, coach, or his or her designee.

15 "School administrator" means the school's principal, or
16 his or her designee.

1 "Safe school zone" means an area that encompasses any of
2 the following places during regular school hours or within 60
3 minutes before or after the school day or 60 minutes before or
4 after a school-sponsored activity. This shall include any
5 school property, ground, or street, sidewalk, or public way
6 immediately adjacent thereto and any public right-of-way
7 situated immediately adjacent to school property. The safe
8 school zone shall not include any portion of the highway not
9 actually on school property.

10 "School activity" means and includes any school session,
11 any extracurricular activity or event sponsored by or
12 participated in by the school, and the 60-minute periods
13 immediately preceding and following any session, activity, or
14 event.

15 "Student" means any person enrolled or previously enrolled
16 in a school.

17 (b) A person commits the offense of criminal trespass to a
18 safe school zone when he or she knowingly:

19 (1) enters or remains in a safe school zone without
20 lawful business, when as a student or employee, who has
21 been suspended, expelled, or dismissed for disrupting the
22 orderly operation of the school, and as a condition of the
23 suspension or dismissal, has been denied access to the safe
24 school zone for the period of the suspension or in the case
25 of dismissal for a period not to exceed the term of
26 expulsion, and has been served in person or by registered

1 or certified mail, at the last address given by that
2 person, with a written notice of the suspension or
3 dismissal and condition; or

4 (2) enters or remains in a safe school zone without
5 lawful business, once being served either in person or by
6 registered or certified mail that his or her presence has
7 been withdrawn by the school administrator, or his or her
8 designee, and whose presence or acts interfere with, or
9 whenever there is reasonable suspicion to believe, such
10 person will disrupt the orderly operation, or the safety,
11 or peaceful conduct of the school or school activities.

12 (c) A person commits the offense of criminal trespass to a
13 safe school zone when he or she enters or remains in a safe
14 school zone and commits or attempts to commit any violation of
15 criminal law.

16 (d) Sentence. Criminal trespass to a safe school zone is a
17 Class A misdemeanor."