

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 Landlord and Tenant Act is amended by adding
5 Section 15 as follows:

6 (765 ILCS 705/15 new)

7 Sec. 15. Changing or rekeying of the dwelling unit lock.

8 (a) A lessor of a dwelling unit shall comply with the
9 provisions of this Section regarding the changing or rekeying
10 of the dwelling unit lock. For the purposes of this Section,
11 "dwelling unit" means a room or suite of rooms used for human
12 habitation and for which a lessor and a lessee have a written
13 lease agreement.

14 (b) After a dwelling unit has been vacated and on or before
15 the day that a new lessee takes possession of the dwelling
16 unit, the lessor shall change or rekey the immediate access to
17 the lessee's individual dwelling unit. For the purposes of this
18 Section, "change or rekey" means:

19 (1) replacing the lock;

20 (2) replacing the locking or cylinder mechanism in the
21 lock so that a different key is used to unlock the lock;

22 (3) changing the combination on a combination or
23 digital lock;

1 (4) changing an electronic lock so that the means or
2 method of unlocking the lock is changed from the
3 immediately prior tenant; or

4 (5) otherwise changing the means of gaining access to
5 the lessee's locked individual dwelling unit so that it is
6 not identical to the prior lessee's means of gaining access
7 to the lessee's locked individual dwelling unit.

8 (c) If a lessor does not change or rekey the lock as
9 required in this Section, and a theft occurs at that dwelling
10 unit that is attributable to the lessor's failure to change or
11 rekey the lock, the landlord is liable for any damages from the
12 theft that occurs as a result of the lessor's failure to comply
13 with this Section.

14 (d) The provisions of this Section do not apply if the
15 lessee has obtained the right to change or rekey the dwelling
16 unit lock pursuant to a written lease agreement.

17 (e) The provisions of this Section do not apply to (i) an
18 apartment rental in an apartment building with 4 units or less
19 when one of the units is occupied by the owner or (ii) the
20 rental of a room in a private home that is owner-occupied.

21 Section 99. Effective date. This Act takes effect January
22 1, 2012.