



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3538

Introduced 2/14/2014, by Sen. Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

720 ILCS 5/21-5

from Ch. 38, par. 21-5

Amends the Criminal Code of 2012. Provides that a person also commits criminal trespass to State supported land when he or she enters upon land owned, leased, or otherwise used by a public body or district organized under the Metropolitan Transit Authority Act, the Local Mass Transit District Act, or the Regional Transportation Authority Act, after receiving, prior to the entry, notice from the public body or district, or its representative, that the entry is forbidden, or remains upon the land or in the building after receiving notice from the public body or district, or its representative, to depart and, in doing so, causes a delay in transit service lasting more than 15 minutes or compromising public safety. Provides that a first violation is a Class 4 felony and a second or subsequent violation is a Class 3 felony.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 21-5 as follows:

6 (720 ILCS 5/21-5) (from Ch. 38, par. 21-5)

7 Sec. 21-5. Criminal Trespass to State Supported Land.

8 (a) A person commits criminal trespass to State supported
9 land when he or she enters upon land supported in whole or in
10 part with State funds, or federal funds administered or granted
11 through State agencies or any building on the land, after
12 receiving, prior to the entry, notice from the State or its
13 representative that the entry is forbidden, or remains upon the
14 land or in the building after receiving notice from the State
15 or its representative to depart, and who thereby interferes
16 with another person's lawful use or enjoyment of the building
17 or land.

18 A person has received notice from the State within the
19 meaning of this subsection if he or she has been notified
20 personally, either orally or in writing, or if a printed or
21 written notice forbidding entry to him or her or a group of
22 which he or she is a part, has been conspicuously posted or
23 exhibited at the main entrance to the land or the forbidden

1 part thereof.

2 (a-5) A person commits criminal trespass to State supported
3 land when he or she enters upon land owned, leased, or
4 otherwise used by a public body or district organized under the
5 Metropolitan Transit Authority Act, the Local Mass Transit
6 District Act, or the Regional Transportation Authority Act,
7 after receiving, prior to the entry, notice from the public
8 body or district, or its representative, that the entry is
9 forbidden, or remains upon the land or in the building after
10 receiving notice from the public body or district, or its
11 representative, to depart and, in doing so, causes a delay in
12 transit service lasting more than 15 minutes or compromising
13 public safety.

14 A person has received notice from the public body or
15 district within the meaning of this subsection if he or she has
16 been notified personally, either orally or in writing, or if a
17 printed or written notice forbidding entry to him or her or a
18 group of which he or she is a part, has been conspicuously
19 posted or exhibited at any point of entrance to the land or the
20 forbidden part thereof.

21 (b) A person commits criminal trespass to State supported
22 land when he or she enters upon land supported in whole or in
23 part with State funds, or federal funds administered or granted
24 through State agencies or any building on the land by
25 presenting false documents or falsely representing his or her
26 identity orally to the State or its representative in order to

1 obtain permission from the State or its representative to enter
2 the building or land; or remains upon the land or in the
3 building by presenting false documents or falsely representing
4 his or her identity orally to the State or its representative
5 in order to remain upon the land or in the building, and who
6 thereby interferes with another person's lawful use or
7 enjoyment of the building or land.

8 This subsection does not apply to a peace officer or other
9 official of a unit of government who enters upon land supported
10 in whole or in part with State funds, or federal funds
11 administered or granted through State agencies or any building
12 on the land in the performance of his or her official duties.

13 (c) Sentence. Criminal trespass to State supported land is
14 a Class A misdemeanor, except a violation of subsection (a-5)
15 of this Section is a Class 4 felony for a first violation and a
16 Class 3 felony for a second or subsequent violation.

17 (Source: P.A. 97-1108, eff. 1-1-13.)