

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 a right of way, including  
4 facilities and improvements thereon, owned, leased, or  
5 otherwise used by a public body or district organized under the  
6 Metropolitan Transit Authority Act, the Local Mass Transit  
7 District Act, or the Regional Transportation Authority Act,  
8 after receiving, prior to the entry, notice from the public  
9 body or district, or its representative, that the entry is  
10 forbidden, or the person remains upon the right of way after  
11 receiving notice from the public body or district, or its  
12 representative, to depart, and in either of these instances  
13 intends to compromise public safety by causing a delay in  
14 transit service lasting more than 15 minutes or destroying  
15 property.

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

22 As used in this subsection (a-5), "right of way" has the  
23 meaning ascribed to it in Section 18c-7502 of the Illinois  
24 Vehicle Code.

25 (b) A person commits criminal trespass to State supported  
26 land when he or she enters upon land supported in whole or in

1 part with State funds, or federal funds administered or granted  
2 through State agencies or any building on the land by  
3 presenting false documents or falsely representing his or her  
4 identity orally to the State or its representative in order to  
5 obtain permission from the State or its representative to enter  
6 the building or land; or remains upon the land or in the  
7 building by presenting false documents or falsely representing  
8 his or her identity orally to the State or its representative  
9 in order to remain upon the land or in the building, and who  
10 thereby interferes with another person's lawful use or  
11 enjoyment of the building or land.

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

17 (c) Sentence. Criminal trespass to State supported land is  
18 a Class A misdemeanor, except a violation of subsection (a-5)  
19 of this Section is a Class A misdemeanor for a first violation  
20 and a Class 4 felony for a second or subsequent violation.

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