



Sen. Martin A. Sandoval

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09800SB3538sam002

LRB098 19359 RLC 58205 a

1 AMENDMENT TO SENATE BILL 3538

2 AMENDMENT NO. _____. Amend Senate Bill 3538, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

7 (720 ILCS 5/21-5) (from Ch. 38, par. 21-5)

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

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

1 with another person's lawful use or enjoyment of the building
2 or land.

3 A person has received notice from the State within the
4 meaning of this subsection if he or she has been notified
5 personally, either orally or in writing, or if a printed or
6 written notice forbidding entry to him or her or a group of
7 which he or she is a part, has been conspicuously posted or
8 exhibited at the main entrance to the land or the forbidden
9 part thereof.

10 (a-5) A person commits criminal trespass to State supported
11 land when he or she enters upon a right of way, including
12 facilities and improvements thereon, owned, leased, or
13 otherwise used by a public body or district organized under the
14 Metropolitan Transit Authority Act, the Local Mass Transit
15 District Act, or the Regional Transportation Authority Act,
16 after receiving, prior to the entry, notice from the public
17 body or district, or its representative, that the entry is
18 forbidden, or the person remains upon the right of way after
19 receiving notice from the public body or district, or its
20 representative, to depart, and in either of these instances
21 intends to compromise public safety by causing a delay in
22 transit service lasting more than 15 minutes or destroying
23 property.

24 A person has received notice from the public body or
25 district within the meaning of this subsection if he or she has
26 been notified personally, either orally or in writing, or if a

1 printed or written notice forbidding entry to him or her has
2 been conspicuously posted or exhibited at any point of entrance
3 to the right of way or the forbidden part of the right of way.

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

7 (b) A person commits criminal trespass to State supported
8 land when he or she enters upon land supported in whole or in
9 part with State funds, or federal funds administered or granted
10 through State agencies or any building on the land by
11 presenting false documents or falsely representing his or her
12 identity orally to the State or its representative in order to
13 obtain permission from the State or its representative to enter
14 the building or land; or remains upon the land or in the
15 building by presenting false documents or falsely representing
16 his or her identity orally to the State or its representative
17 in order to remain upon the land or in the building, and who
18 thereby interferes with another person's lawful use or
19 enjoyment of the building or land.

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

25 (c) Sentence. Criminal trespass to State supported land is
26 a Class A misdemeanor, except a violation of subsection (a-5)

1 of this Section is a Class A misdemeanor for a first violation
2 and a Class 4 felony for a second or subsequent violation.
3 (Source: P.A. 97-1108, eff. 1-1-13.)".