



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1985

Introduced 2/6/2025, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

New Act

720 ILCS 5/21-3.5 new

720 ILCS 5/21-3.7 new

Creates the Stop Squatters Act. Creates a process for local law enforcement to remove a person who is unlawfully occupying residential or commercial property without any right to do so. Requires the property owner to file a complaint with local law enforcement alleging facts to trigger the Act. Provides that law enforcement is entitled to a reasonable fee to remove an unauthorized occupant and provides legal protection to law enforcement for acting on a complaint. Provides that if the complaint is found to be false, the property owner shall indemnify the law enforcement agency. Creates a civil action of action for a person who was wrongfully removed. Creates a civil cause of action for the property owner for damages by the wrongful occupant. Amends the Criminal Code of 20212. Creates a Class 4 felony for making a false statement to detain real property and fraudulent sale or lease of residential real property".

LRB104 10293 JRC 20367 b

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 1. Short title. This may be referred to as the Stop
5 Squatters Act.

6 Section 5. Legislative intent. The General Assembly finds
7 that the right to exclude others from entering and the right to
8 direct others to immediately vacate residential and commercial
9 real property are fundamental property rights.

10 Section 10. Process to remove unlawful occupant.

11 (a) Notwithstanding any other law, a property owner or
12 authorized agent may request that the county sheriff or the
13 chief of police of the local jurisdiction to immediately
14 remove any person or persons unlawfully occupying a
15 residential dwelling or commercial building if the following
16 conditions are met:

17 (1) The requesting person is the property owner or
18 authorized agent.

19 (2) The real property includes a residential dwelling
20 or commercial building.

21 (3) An unauthorized person or persons are unlawfully
22 occupying the property.

1 (4) The property was not open to the public at the time
2 of entry.

3 (5) The property owner has directed the unauthorized
4 person or persons to leave.

5 (6) The unauthorized person or persons are not current
6 or former tenants.

7 (7) The unauthorized person or persons are not
8 immediate family members of the property owner.

9 (8) No pending litigation exists between the property
10 owner and the unauthorized person or persons.

11 (b) To request the immediate removal under this
12 Section, the property owner or authorized agent must
13 submit a completed and verified complaint that includes
14 the information in subsection (a) to the sheriff or police
15 chief.

16 (c) Upon receipt of the complaint, the law enforcement
17 agency that receives the complaint shall conduct
18 preliminary fact-finding, which may include reviewing any
19 alleged lease agreement, talking to neighbors, and other
20 relevant inquiries to ascertain the validity of the
21 complaint. If the preliminary fact-finding indicates
22 probable cause that the above conditions outlined in this
23 Section are met, then the law enforcement agency shall
24 serve a notice to immediately vacate on the unlawful
25 occupants and put the property owner in possession of the
26 real property.

1 (d) The law enforcement agency is entitled to a
2 reasonable fee for service to be determined by the unit of
3 local government that the law enforcement agency serves.
4 Upon serving the notice, the property owner may request
5 the law enforcement agency to remain to keep the peace
6 while changing locks and removing personal property of the
7 unlawful occupants.

8 (e) The property owner who submits a complaint under
9 this Section that turns out to be false shall indemnify
10 the law enforcement agency and its agents for any damages
11 awarded against the law enforcement agency or its agents
12 for their good faith conduct that was based on the
13 complaint. A civil cause of action for wrongful removal of
14 the occupant is allowed, with remedies, including
15 restoration of possession, actual costs, damages, and
16 attorney's fees.

17 (f) This Section does not limit other rights of the
18 property owner or law enforcement authority.

19 Section 15. Civil action for violation. A property owner
20 may file a civil action against a person who unlawfully
21 occupies a residential dwelling or commercial building in
22 violation of this Act and intentionally damages them. The
23 court shall award the property owner the owner's actual
24 damages or \$1,000, whichever is greater. If the court finds
25 for the property owner, the defendant must also pay the

1 attorney's fees and costs of the property owner for bringing
2 the civil action.

3 Section 20. The Criminal Code of 2012 is amended by adding
4 Sections 21-3.5 and 21-3.7 as follows:

5 (720 ILCS 5/21-3.5 new)

6 Sec. 21-3.5. Making false statement to detain real
7 property.

8 (a) A person commits making a false statement to detain
9 property when the person knowingly presents a false document
10 purporting to convey real property rights.

11 (b) Sentence. A violation of this Section is a Class 4
12 felony.

13 (720 ILCS 5/21-3.7 new)

14 Sec. 21-3.7. Fraudulent sale or lease of residential real
15 property.

16 (a) A person commits a fraudulent sale or lease of
17 residential real property when the person knowingly lists or
18 advertises residential real property or a commercial building
19 for sale or rent without legal title or authority to do so.

20 (b) Sentence. A violation of this Section is a Class 4
21 felony.