



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3841

Introduced 2/6/2026, by Sen. Andrew S. Chesney

SYNOPSIS AS INTRODUCED:

See Index

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 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 2012. Creates a Class 4 felony for making a false statement to detain real property and fraudulent sale or lease of residential real property. Amends the Code of Civil Procedure to provide that illegal possession of land during a 7-year period may not be used for a claim of adverse possession. Amends the Landlord and Tenant Act. Provides that no person has the right or legal standing to occupy or remain on or in any real property, residence, or structure if the person has no written property interest under a written lease or rental agreement with the owner of the property listed in county tax records or the owner's agent; no documentation of payment of rent made to the owner of the property or the owner's agent; or otherwise fails to provide any evidence of an oral or written agreement in which a property interest is claimed. Provides that all persons legally occupying a property, residence, or structure shall be listed by name and date of birth on a lease, rental agreement, or rental application associated with the lease or rental agreement or provide evidence that the person is an invitee of a lessee or authorized occupant of the property. Provides that no subleasing shall be allowed or deemed as legal in contrast to a lease or rental agreement that specifically prohibits subleases. Provides that a sublease made in violation of a lease or rental agreement shall not establish legal standing to occupy or remain on or in any real property, residence, or structure by the sublessee and the sublessee shall vacate the property after receiving notice from the property owner of record to depart.

LRB104 19449 JRC 32897 b

A BILL FOR

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 Act may be referred to as the
5 Stop 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 immediately remove
14 any person or persons unlawfully occupying a residential
15 dwelling or commercial building if the following conditions
16 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 the property.
23 The 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 900. The Criminal Code of 2012 is amended by
4 adding 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.

22 Section 905. The Code of Civil Procedure is amended by

1 changing Section 13-102 as follows:

2 (735 ILCS 5/13-102) (from Ch. 110, par. 13-102)

3 Sec. 13-102. Breach of condition subsequent. No person
4 shall commence an action for the recovery of lands, nor make an
5 entry thereon, by reason of the breach of a condition
6 subsequent, unless within 7 years after the time that
7 condition is first broken. Continuing, successive or recurring
8 breaches shall not extend the time for commencing the action
9 or making the entry. Possession shall be deemed to be adverse
10 and hostile from and after the first breach of a condition
11 subsequent, notwithstanding the occurrence of successive or
12 recurrent breaches. Possession is not adverse and hostile for
13 any time during a 7-year period the person was in possession of
14 lands in violation of Section 21 of the Landlord and Tenant
15 Act.

16 (Source: P.A. 82-280.)

17 Section 910. The Landlord and Tenant Act is amended by
18 adding Section 21 as follows:

19 (765 ILCS 705/21 new)

20 Sec. 21. Illegal possession of property. No person has a
21 right or legal standing to occupy or remain on or in any real
22 property, residence, or structure if the person has no written
23 property interest under a written lease or rental agreement

1 with the owner of the property listed in county tax records or
2 the owner's agent; has no documentation of payment of rent
3 made to the owner of the property or the owner's agent; or
4 otherwise fails to provide any evidence of an oral or written
5 agreement in which a property interest is claimed. All persons
6 legally occupying a property, residence, or structure shall be
7 listed by name and date of birth on a lease, rental agreement,
8 or rental application associated with the lease or rental
9 agreement or provide evidence that the person is an invitee of
10 a lessee or authorized occupant of the property. No subleasing
11 shall be allowed or deemed as legal in contrast to a lease or
12 rental agreement that specifically prohibits subleases. A
13 sublease made in violation of a lease or rental agreement does
14 not establish legal standing to occupy or remain on or in any
15 real property, residence, or structure by the sublessee and
16 the sublessee shall vacate the property after receiving notice
17 from the property owner of record, or the property owner's
18 designee, to depart. If a person is occupying a property as an
19 invitee of a lessee or an authorized occupant of the property,
20 the property owner shall comply with the notification
21 requirements of subsection (g) of Section 9-106.2 of the Code
22 of Civil Procedure.

1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 720 ILCS 5/21-3.5 new

5 720 ILCS 5/21-3.7 new

6 735 ILCS 5/13-102 from Ch. 110, par. 13-102

7 765 ILCS 705/21 new