

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 1961 is amended by changing
5 Section 21-3 as follows:

6 (720 ILCS 5/21-3) (from Ch. 38, par. 21-3)

7 Sec. 21-3. Criminal trespass to real property.

8 (a) Whoever:

9 (1) knowingly and without lawful authority enters or
10 remains within or on a building; or

11 (2) enters upon the land of another, after receiving,
12 prior to such entry, notice from the owner or occupant that
13 such entry is forbidden; or

14 (3) remains upon the land of another, after receiving
15 notice from the owner or occupant to depart; or

16 (4) enters upon one of the following areas in or on a
17 motor vehicle (including an off-road vehicle, motorcycle,
18 moped, or any other powered two-wheel vehicle), after
19 receiving prior to that entry, notice from the owner or
20 occupant that the entry is forbidden or remains upon or in
21 the area after receiving notice from the owner or occupant
22 to depart:

23 (A) any field that is used for growing crops or
24 which is capable of being used for growing crops; or

25 (B) an enclosed area containing livestock; or

26 (C) or an orchard; or

27 (D) a barn or other agricultural building
28 containing livestock;

29 commits a Class B misdemeanor.

30 For purposes of item (1) of this subsection, this Section
31 shall not apply to entering into the public area of ~~being in~~ a
32 building which is open to the public while the building is open

1 to the public during its normal hours of operation; nor shall
2 item (1) of this subsection ~~this Section~~ apply to a person who
3 enters the public area of a public building under the
4 reasonable belief that the building is still open to the
5 public.

6 (b) A person has received notice from the owner or occupant
7 within the meaning of Subsection (a) if he has been notified
8 personally, either orally or in writing including a valid court
9 order as defined by subsection (7) of Section 112A-3 of the
10 Code of Criminal Procedure of 1963 granting remedy (2) of
11 subsection (b) of Section 112A-14 of that Code, or if a printed
12 or written notice forbidding such entry has been conspicuously
13 posted or exhibited at the main entrance to such land or the
14 forbidden part thereof.

15 (c) This Section does not apply to any person, whether a
16 migrant worker or otherwise, living on the land with permission
17 of the owner or of his agent having apparent authority to hire
18 workers on such land and assign them living quarters or a place
19 of accommodations for living thereon, nor to anyone living on
20 such land at the request of, or by occupancy, leasing or other
21 agreement or arrangement with the owner or his agent, nor to
22 anyone invited by such migrant worker or other person so living
23 on such land to visit him at the place he is so living upon the
24 land.

25 (d) A person shall be exempt from prosecution under this
26 Section if he beautifies unoccupied and abandoned residential
27 and industrial properties located within any municipality. For
28 the purpose of this subsection, "unoccupied and abandoned
29 residential and industrial property" means any real estate (1)
30 in which the taxes have not been paid for a period of at least 2
31 years; and (2) which has been left unoccupied and abandoned for
32 a period of at least one year; and "beautifies" means to
33 landscape, clean up litter, or to repair dilapidated conditions
34 on or to board up windows and doors.

35 (e) No person shall be liable in any civil action for money
36 damages to the owner of unoccupied and abandoned residential

1 and industrial property which that person beautifies pursuant
2 to subsection (d) of this Section.

3 (f) This Section does not prohibit a person from entering a
4 building or upon the land of another for emergency purposes.
5 For purposes of this subsection (f), "emergency" means a
6 condition or circumstance in which an individual is or is
7 reasonably believed by the person to be in imminent danger of
8 serious bodily harm or in which property is or is reasonably
9 believed to be in imminent danger of damage or destruction.

10 (Source: P.A. 89-346, eff. 1-1-96; 89-373, eff. 1-1-96; 89-626,
11 eff. 8-9-96; 90-419, eff. 8-15-97.)