

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 the heading of Article 21.2 and Sections 21.2-1, 21.2-2,
6 21.2-3, 21.2-4, and 21.2-5 as follows:

7 (720 ILCS 5/Art. 21.2 heading)

8 ARTICLE 21.2. INTERFERENCE WITH A PUBLIC
9 INSTITUTION OF ~~HIGHER~~ EDUCATION

10 (720 ILCS 5/21.2-1) (from Ch. 38, par. 21.2-1)

11 Sec. 21.2-1. The General Assembly, in recognition of
12 unlawful campus and school disorders across the nation which
13 are disruptive of the educational process, dangerous to the
14 health and safety of persons, damaging to public and private
15 property, and which divert the use of institutional facilities
16 from the primary function of education, establishes by this Act
17 criminal penalties for conduct declared in this Article to be
18 unlawful. However, this Article does not modify or supersede
19 any other law relating to damage to persons or property, nor
20 does it prevent a public institution of ~~higher~~ education from
21 establishing restrictions upon the availability or use of any
22 building or other facility owned, operated or controlled by the

1 institution to preserve their dedication to education, nor from
2 establishing standards of scholastic and behavioral conduct
3 reasonably relevant to the missions, processes and functions of
4 the institution, nor from invoking appropriate discipline or
5 expulsion for violations of such standards.

6 (Source: P.A. 76-1582.)

7 (720 ILCS 5/21.2-2) (from Ch. 38, par. 21.2-2)

8 Sec. 21.2-2. A person commits interference with a public
9 institution of ~~higher~~ education when, on the campus of a public
10 institution of ~~higher~~ education, or at or in any building or
11 other facility owned, operated or controlled by the
12 institution, without authority from the institution he,
13 through force or violence, actual or threatened:

14 (a) willfully denies to a trustee, school board member,
15 superintendent, principal, employee, student or invitee of the
16 institution:

17 (1) Freedom of movement at such place; or

18 (2) Use of the property or facilities of the institution;

19 or

20 (3) The right of ingress or egress to the property or
21 facilities of the institution; or

22 (b) willfully impedes, obstructs, interferes with or
23 disrupts:

24 (1) the performance of institutional duties by a trustee,
25 school board member, superintendent, principal, or employee of

1 the institution; or

2 (2) the pursuit of educational activities, as determined or
3 prescribed by the institution, by a trustee, school board
4 member, superintendent, principal, employee, student or
5 invitee of the institution; or

6 (c) knowingly occupies or remains in or at any building,
7 property or other facility owned, operated or controlled by the
8 institution after due notice to depart.

9 (Source: P.A. 76-1582.)

10 (720 ILCS 5/21.2-3) (from Ch. 38, par. 21.2-3)

11 Sec. 21.2-3. Nothing in this Article prevents lawful
12 assembly of the trustees, school board members,
13 superintendent, principal, employees, students or invitees of
14 a public institution of ~~higher~~ education, or prevents orderly
15 petition for redress of grievances.

16 (Source: P.A. 76-1582.)

17 (720 ILCS 5/21.2-4) (from Ch. 38, par. 21.2-4)

18 Sec. 21.2-4. Sentence. A person convicted of violation of
19 this Article commits a Class C misdemeanor for the first
20 offense and for a second or subsequent offense commits a Class
21 B misdemeanor. If the interference with the public institution
22 of education is accompanied by a threat of personal injury or
23 property damage, the person commits a Class 3 felony and may be
24 sentenced to a term of imprisonment of not less than 2 years

1 and not more than 10 years and may be prosecuted for
2 intimidation in accordance with Section 12-6 of this Code.

3 (Source: P.A. 77-2638.)

4 (720 ILCS 5/21.2-5) (from Ch. 38, par. 21.2-5)

5 Sec. 21.2-5. For the purposes of this Article the words and
6 phrases described in this Section have the meanings designated
7 in this Section, except when a particular context clearly
8 requires a different meaning.

9 "Public institution of ~~higher~~ education" means an
10 educational organization located in this State which provides
11 an organized elementary, secondary, or post-high school
12 educational program, and which is supported in whole or in part
13 by appropriations of the General Assembly, a unit of local
14 government or school district.

15 A person has received "due notice" if he, or the group of
16 which he is a part, has been given oral or written notice from
17 an authorized representative of the public institution of
18 ~~higher~~ education in a manner reasonably designated to inform
19 him, or the group of which he is a part, that he or they should
20 cease such action or depart from such premises. The notice may
21 also be given by a printed or written notice forbidding entry
22 conspicuously posted or exhibited at the main entrance of the
23 building or other facility, or the forbidden part thereof.

24 "Force or violence" includes, but is not limited to, use of
25 one's person, individually or in concert with others, to impede

1 access to or movement within or otherwise to interfere with the
2 conduct of the authorized activities of the public institution
3 of ~~higher~~ education, its trustees, school board members,
4 superintendent, principal, employees, students or invitees.

5 (Source: P.A. 76-1582.)