



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB3190

by Rep. John Connor

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/21-8.5 new

Amends the Criminal Code of 2012. Creates the offense of criminal trespass to a critical infrastructure facility. Provides that a person commits the offense when he or she knowingly: (1) operates an unmanned aircraft system over a critical infrastructure facility at an altitude not higher than 400 feet above ground level; or (2) allows an unmanned aircraft system to make contact with a critical infrastructure facility, including any person or object on the premises of or within the facility. Provides exemptions. Defines "critical infrastructure facility". Provides that a violation is a Class A misdemeanor.

LRB101 07062 SLF 52099 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 2012 is amended by adding  
5 Section 21-8.5 as follows:

6 (720 ILCS 5/21-8.5 new)

7 Sec. 21-8.5. Criminal trespass to a critical  
8 infrastructure facility.

9 (a) In this Section, "critical infrastructure facility"  
10 means any of the following facilities, if completely enclosed  
11 by a fence or other physical barrier that is obviously designed  
12 to exclude intruders, or if marked with a sign conspicuously  
13 posted on the property that indicates that entry is forbidden:

14 (1) a petroleum or alumina refinery;

15 (2) an electrical power generating facility,  
16 substation, switching station, or electrical control  
17 center;

18 (3) a chemical, polymer, or rubber manufacturing  
19 facility;

20 (4) a water intake structure, water treatment  
21 facility, wastewater treatment plant, or pump station;

22 (5) a natural gas compressor station;

23 (6) a liquid natural gas terminal or storage facility;

- 1           (7) a telecommunications central switching office;  
2           (8) a port, railroad switching yard, trucking  
3 terminal, or other freight transportation facility;  
4           (9) a gas processing plant, including a plant used in  
5 the processing, treatment, or fractionation of natural  
6 gas;  
7           (10) a transmission facility used by a federally  
8 licensed radio or television station;  
9           (11) a steelmaking facility that uses an electric arc  
10 furnace to make steel;  
11           (12) a dam that is classified as a high hazard by the  
12 Illinois Emergency Management Agency;  
13           (13) any portion of an aboveground oil, gas, or  
14 chemical pipeline that is enclosed by a fence or other  
15 physical barrier that is obviously designed to exclude  
16 intruders; or  
17           (14) a correctional facility or law enforcement  
18 facility.  
19           (b) Except as provided in subsection (c), a person commits  
20 criminal trespass to a critical infrastructure facility when he  
21 or she knowingly:  
22           (1) operates an unmanned aircraft system over a  
23 critical infrastructure facility at an altitude not higher  
24 than 400 feet above ground level; or  
25           (2) allows an unmanned aircraft system to make contact  
26 with a critical infrastructure facility, including any

1 person or object on the premises of or within the facility.

2 (c) This Section does not apply to:

3 (1) The federal government.

4 (2) A public body.

5 (3) A law enforcement agency.

6 (4) A person under contract with or otherwise acting  
7 under the direction or on behalf of the federal government,  
8 a public body, or a law enforcement agency.

9 (5) An owner or operator of the critical infrastructure  
10 facility.

11 (6) A person who has the prior written consent of the  
12 owner or operator of the critical infrastructure facility.

13 (7) The owner or occupant of the property on which the  
14 critical infrastructure facility is located.

15 (8) A person who has the prior written consent of the  
16 owner or occupant of the property on which the critical  
17 infrastructure facility is located.

18 (9) A person operating an unmanned aircraft system for  
19 commercial purposes in compliance with authorization  
20 granted by the Federal Aviation Administration.

21 (d) Sentence. Criminal trespass to a critical  
22 infrastructure facility is a Class A misdemeanor.