



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0078

Introduced 1/12/2011, by Rep. Naomi D. Jakobsson

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.53 new
105 ILCS 5/34-18.45 new
720 ILCS 5/21-5.5 new

Amends the School Code and the Criminal Code of 1961. Provides that if a school board designates the area within 1,000 feet of a school to be a safe school zone, then the principal of that school and the local law enforcement agency may prohibit persons, other than residents, from entering the safe school zone without a legitimate purpose (as jointly defined by the school board and the local law enforcement agency). Creates the offense of criminal trespass to school land, a Class A misdemeanor.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Sections
5 10-20.53 and 34-18.45 as follows:

6 (105 ILCS 5/10-20.53 new)

7 Sec. 10-20.53. Safe school zone. If a school board
8 designates the area within 1,000 feet of a school to be a safe
9 school zone, then the principal of that school and the local
10 law enforcement agency may prohibit persons, other than
11 residents, from entering the safe school zone without a
12 legitimate purpose. "Legitimate purpose" shall be jointly
13 defined by the school board and the local law enforcement
14 agency.

15 (105 ILCS 5/34-18.45 new)

16 Sec. 34-18.45. Safe school zone. If the board designates
17 the area within 1,000 feet of a school to be a safe school
18 zone, then the principal of that school and the local law
19 enforcement agency may prohibit persons, other than residents,
20 from entering the safe school zone without a legitimate
21 purpose. "Legitimate purpose" shall be jointly defined by the
22 board and the local law enforcement agency.

1 Section 10. The Criminal Code of 1961 is amended by adding
2 Section 21-5.5 as follows:

3 (720 ILCS 5/21-5.5 new)

4 Sec. 21-5.5. Criminal trespass to school land.

5 (a) Whoever (i) enters upon land supported in whole or in
6 part with funds of a school district, any building on such
7 land, or an area designated as a safe school zone under Section
8 10-20.53 or 34-18.45 of the School Code after receiving, prior
9 to such entry, notice from the school district or its
10 representative that such entry is forbidden or (ii) remains
11 upon such land or area or in such building after receiving
12 notice from the school district or its representative to
13 depart, and who thereby interferes with another person's lawful
14 use or enjoyment of such building, land, or area commits a
15 Class A misdemeanor.

16 (b) A person has received notice from the school district
17 within the meaning of subsection (a) of this Section if he or
18 she has been notified personally, either orally or in writing,
19 or if a printed or written notice forbidding such entry to him
20 or her or a group of which he or she is a part has been
21 conspicuously posted or exhibited at the main entrance to such
22 land, building, or area or the forbidden part thereof.

23 (c) Whoever (i) enters upon land supported in whole or in
24 part with funds of a school district, any building on such

1 land, or an area designated as a safe school zone under Section
2 10-20.53 or 34-18.45 of the School Code by presenting false
3 documents or falsely representing his or her identity orally to
4 the school district or its representative in order to obtain
5 permission from the school district or its representative to
6 enter the building, land, or area or (ii) remains upon such
7 land or area or in such building by presenting false documents
8 or falsely representing his or her identity orally to the
9 school district or its representative in order to remain upon
10 such land or area or in such building, and who thereby
11 interferes with another person's lawful use or enjoyment of
12 such building, land, or area commits a Class A misdemeanor.

13 This subsection (c) does not apply to a peace officer or
14 other official of a unit of government who enters upon land
15 supported in whole or in part with funds of a school district,
16 any building on such land, or an area designated as a safe
17 school zone under Section 10-20.53 or 34-18.45 of the School
18 Code in the performance of his or her official duties.