

● **CRIMINAL CODE OF 2012 (*CRIMINAL TRESPASS*)**

STATUTORY CITATION: 720 Ill. Comp. Stat. § 5/21-3

GENERAL SUMMARY: The Criminal Code provides that anyone who enters upon the land of another after receiving prior notice from the owner or occupant that such entry is forbidden, or who remains on the property after receiving notice from the owner or occupant to depart, is guilty of criminal trespass. An exception, however, is made in the case of migrant workers and the guests of migrant workers who are housed on private property in connection with their employment.

SPECIFIC TERMS AND CONDITIONS: A migrant farmworker or anyone else who lives on private property with permission of the owner, or any agent of the owner having authority to hire workers and assign them living quarters, is entitled to free access to the premises without regard to the criminal trespass provisions. Likewise, the criminal trespass law does not apply to anyone invited by a migrant worker living on such land to visit the worker at the place where the worker is living.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — The state's criminal laws are enforced by state and local law enforcement agencies and public prosecutors.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*

PRIVATE CIVIL ACTION — Any worker who has been denied free access to his or her living quarters on private property, or whose guests have been denied such access, should contact a private attorney or a public legal service provider.