

118. TRESPASS, VANDALISM, AND PRIVATE LAND ACCESS

We support:

1. Encouraging courts to punish vandals by requiring them to clean up and repair their own vandalism at their own expense or perform some other constructive work. We urge judges, when setting sentences, to require reimbursement of Crime Stoppers or similar reward programs, as a part of the sentence.
2. Legislation to protect landowners and tenants from property seizures, claims, and costs caused by unauthorized activities of trespassers and licensees entering upon and using the landowners' property.
3. Efforts, including legislation and working with law enforcement agencies and prosecutors, to increase the enforcement of criminal trespass laws.
4. Legislation specifying that, in criminal damage to property cases where the damage was caused by the unauthorized operation of a vehicle on private property, the threshold of felony status be elevated from its current \$300 to a level better suited to the crime and one that would help to remove the law enforcement community's hesitancy to prosecute those violators. In such cases, a minimum fine should be established with required restitution to the victim for property damages caused and the violator's license should be suspended for six months.
5. Legislation linking criminal violations of the Illinois Vehicle Code and acts of criminal trespass or criminal damage to property to the driver's license record of anyone convicted of these crimes for the unauthorized operation of a motor vehicle on private property.
6. Legislation creating an owner responsibility provision in law that obligates the owner of a vehicle to compensate for damages caused to private property by the use of the vehicle on that property without the landowner's authorization unless the vehicle was stolen or the vehicle's owner took reasonable precautions against misuse of the vehicle.
7. Efforts to educate law enforcement officials and the general public - especially youth - about the property damage caused by the unauthorized operation of vehicles on private property and the liability and penalties for any resulting property damage.
8. The development and dissemination of programs and materials on private property rights and the associated portions of trespass and criminal law. We encourage county Farm Bureaus to pursue similar efforts on the local level.
9. Efforts to educate farmland owners and farmland operators about their legal rights and responsibilities relating to trespass; also, efforts to educate them about insurance coverage relating to liability and property damage caused through trespass. We encourage county Farm Bureaus to pursue similar efforts on the local level.
10. Efforts to establish riding areas for ATVs and other off-highway vehicles and efforts to generate revenues for that purpose from those who use the vehicles for recreation.
11. Efforts to make it clear that persons going to or from rivers, streams, and bike trails over another's land or hunting on another's land without the owner's or rightful occupant's specific permission, without regard to the presence of any posted notices, are trespassers for the purposes of determining liability of a landowner for any injury which might occur to the trespasser.
12. Legislation that will require owners of recreational trails and their facilities to compensate owners of land adjacent to the trail or facility for any property damage, theft, littering, and/or vandalism caused by users of the trail or facility except where the actual perpetrator can be identified and make restitution.
13. Efforts to educate farm owners and operators about their legal rights as they pertain to utilities and governmental or private surveying companies. We would encourage all surveyors to notify affected landowners and use public property whenever possible.
14. Efforts to educate farm owners and farmers about their legal rights as landlords or managers of residential properties.
15. Landowners being an additional named insured for all government and public utility project work that is being done on private property.
16. Efforts to enforce regulations on hot air balloons regarding their potential trespass on private property and their potential for endangering livestock.

17. A program to reward informants who provide information leading to the arrest and conviction of persons who commit theft, arson, or vandalism to the property or premises of Illinois Agricultural Association (IAA) members.