



Rep. Joe Sosnowski

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LRB100 04737 RLC 22280 a

1 AMENDMENT TO HOUSE BILL 255

2 AMENDMENT NO. _____. Amend House Bill 255 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by
5 changing Section 21-2.5 as follows:

6 (720 ILCS 5/21-2.5)

7 Sec. 21-2.5. Electronic tracking devices prohibited.

8 (a) As used in this Section:

9 "Electronic tracking device" means any device attached
10 to a vehicle that reveals its location or movement by the
11 transmission of electronic signals.

12 "Local government agency" means a department, officer,
13 commission, board, institution, or body politic and
14 corporate of any county, municipality, township, special
15 district, or other unit of local government.

16 "State agency" means all departments, officers,

1 commissions, boards, institutions, authorities, and bodies
2 politic and corporate of the State. The term, however, does
3 not mean the judicial branch, including, without
4 limitation, the several courts of the State, the offices of
5 the clerk of the supreme court and the clerks of the
6 appellate court, and the Administrative Office of the
7 Illinois Courts, nor does it mean the legislature or its
8 committees or commissions.

9 "Telematics" includes, but is not limited to,
10 automatic airbag deployment and crash notification, remote
11 diagnostics, navigation, stolen vehicle location, remote
12 door unlock, transmitting emergency and vehicle location
13 information to public safety answering points, and any
14 other service integrating vehicle location technology and
15 wireless communications.

16 "Vehicle" has the meaning ascribed to it in Section
17 1-217 of the Illinois Vehicle Code.

18 (b) A person or entity in this State may not use an
19 electronic tracking device to determine the location or
20 movement of a person.

21 (c) This Section does not apply:

22 (1) when the registered owner, lessor, or lessee of a
23 vehicle has consented to the use of the electronic tracking
24 device with respect to that vehicle;

25 (2) to the lawful use of an electronic tracking device
26 by a law enforcement agency;

1 (3) when the vehicle is owned or leased by a business
2 that is authorized to transact business in this State and
3 the tracking device is used by the business for the purpose
4 of tracking vehicles driven by employees of that business,
5 its affiliates, or contractors of that business or its
6 affiliates;

7 (4) when the vehicle is under the control of a State
8 agency and the electronic tracking device is used by the
9 agency, or an ~~the~~ Inspector General ~~appointed under the~~
10 ~~State Officials and Employees Ethics Act~~ who has
11 jurisdiction over that State agency, for the purpose of
12 tracking vehicles driven by employees or contractors of
13 that State agency; ~~or~~

14 (4.1) when the vehicle is owned, leased, or under the
15 control of a local government agency and the electronic
16 tracking device is used by the Inspector General who has
17 jurisdiction over that local government agency, for the
18 purpose of tracking a vehicle driven by an employee or
19 contractor of that local government agency; or

20 (5) telematic services that were installed by the
21 manufacturer, or installed by or with the consent of the
22 owner or lessee of the vehicle and to which the owner or
23 lessee has subscribed. Consent by the owner or lessee of
24 the vehicle constitutes consent for any other driver or
25 passenger of that vehicle.

26 (d) Sentence. A violation of this Section is a Class A

1 misdemeanor.

2 (Source: P.A. 98-381, eff. 1-1-14.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".