

1 AN ACT in relation to the transmission of drug
2 information by the Internet.

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

5 Section 5. The Cannabis Control Act is amended by adding
6 Section 5.3 as follows:

7 (720 ILCS 550/5.3 new)

8 Sec. 5.3. Illegal transmission of cannabis information
9 by the Internet.

10 (a) A person commits the offense of illegal transmission
11 of cannabis information by the Internet when he or she
12 transmits information about cannabis by the Internet to a
13 specific individual with the intent that the information will
14 be used by that individual in furtherance of illegal
15 activity.

16 (b) Illegal transmission of cannabis information by the
17 Internet is a Class A misdemeanor.

18 (c) In this Section:

19 "Internet" means an interactive computer service or
20 system or an information service, system, or access software
21 provider that provides or enables computer access by multiple
22 users to a computer server, and includes, but is not limited
23 to, an information service, system, or access software
24 provider that provides access to a network system commonly
25 known as the Internet, or any comparable system or service
26 and also includes, but is not limited to, a World Wide Web
27 page, newsgroup, message board, mailing list, or chat area on
28 any interactive computer service or system or other online
29 service.

30 "Access" and "computer" have the meanings ascribed to
31 them in Section 16D-2 of the Criminal Code of 1961.

1 (d) It is not a violation of this Section for an
 2 employee of a public library or a library of an institution
 3 of higher learning to provide a person access to Internet
 4 services through the library's computer network or the
 5 library's computer if, without knowledge by the employee of
 6 the library, the patron of the library transmits, by use of
 7 the library's computer access to the Internet, information in
 8 violation of this Section.

9 Section 10. The Illinois Controlled Substances Act is
 10 amended by adding Section 407.3 as follows:

11 (720 ILCS 570/407.3 new)

12 Sec. 407.3. Illegal transmission of controlled substance
 13 information by the Internet.

14 (a) A person commits the offense of illegal transmission
 15 of controlled substance information by the Internet when he
 16 or she transmits information about a controlled substance by
 17 the Internet to a specific individual with the intent that
 18 the information will be used by that individual in
 19 furtherance of illegal activity.

20 (b) Illegal transmission of controlled substance
 21 information by the Internet is a Class A misdemeanor.

22 (c) In this Section:

23 "Internet" means an interactive computer service or
 24 system or an information service, system, or access software
 25 provider that provides or enables computer access by multiple
 26 users to a computer server, and includes, but is not limited
 27 to, an information service, system, or access software
 28 provider that provides access to a network system commonly
 29 known as the Internet, or any comparable system or service
 30 and also includes, but is not limited to, a World Wide Web
 31 page, newsgroup, message board, mailing list, or chat area on
 32 any interactive computer service or system or other online

1 service.

2 "Access" and "computer" have the meanings ascribed to
3 them in Section 16D-2 of the Criminal Code of 1961.

4 (d) It is not a violation of this Section for an
5 employee of a public library or a library of an institution
6 of higher learning to provide a person access to Internet
7 services through the library's computer network or the
8 library's computer if, without knowledge by the employee of
9 the library, the patron of the library transmits, by use of
10 the library's computer access to the Internet, information in
11 violation of this Section.