



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3028

Introduced 2/6/2025, by Rep. Janet Yang Rohr

SYNOPSIS AS INTRODUCED:

720 ILCS 5/11-23.5
735 ILCS 115/5

Amends the Criminal Code of 2012 and the Removal of Private Compromising Images Act. Defines "image" to include a computer-generated image or video, whether made, produced, or altered by electronic, mechanical, or other means.

LRB104 09817 RLC 19885 b

1 AN ACT concerning computer-generated images and video.

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

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Section 11-23.5 as follows:

6 (720 ILCS 5/11-23.5)

7 Sec. 11-23.5. Non-consensual dissemination of private
8 sexual images.

9 (a) Definitions. For the purposes of this Section:

10 "Computer", "computer program", and "data" have the
11 meanings ascribed to them in Section 17-0.5 of this Code.

12 "Image" includes a photograph, film, videotape,
13 digital recording, computer-generated image or video,
14 whether made, produced, or altered by electronic,
15 mechanical, or other means, or other depiction or
16 portrayal of an object, including a human body.

17 "Intimate parts" means the fully unclothed, partially
18 unclothed or transparently clothed genitals, pubic area,
19 anus, or if the person is female, a partially or fully
20 exposed nipple, including exposure through transparent
21 clothing.

22 "Personal identifying information" has the meaning
23 ascribed to the term in Section 16-0.1.

1 "Sexual act" means sexual penetration, masturbation,
2 or sexual activity.

3 "Sexual activity" means any:

4 (1) knowing touching or fondling by the victim or
5 another person or animal, either directly or through
6 clothing, of the sex organs, anus, or breast of the
7 victim or another person or animal for the purpose of
8 sexual gratification or arousal; or

9 (2) any transfer or transmission of semen upon any
10 part of the clothed or unclothed body of the victim,
11 for the purpose of sexual gratification or arousal of
12 the victim or another; or

13 (3) an act of urination within a sexual context;
14 or

15 (4) any bondage, fetter, or sadism masochism; or

16 (5) sadomasochism abuse in any sexual context.

17 (b) A person commits non-consensual dissemination of
18 private sexual images when he or she:

19 (1) intentionally disseminates an image of another
20 person:

21 (A) (blank); and

22 (B) who is identifiable from the image itself, or
23 whose personal identifying information is displayed or
24 disseminated in connection with the image, or whose
25 identity is known to the person who disseminated the
26 image; and

1 (C) who is engaged in a sexual act or whose
2 intimate parts are exposed, in whole or in part; and

3 (2) obtains the image under circumstances in which a
4 reasonable person would know or understand that the image
5 was to remain private; and

6 (3) knows or should have known that the person in the
7 image has not consented to the dissemination.

8 (c) The following activities are exempt from the
9 provisions of this Section:

10 (1) The intentional dissemination of an image of
11 another identifiable person who is engaged in a sexual act
12 or whose intimate parts are exposed when the dissemination
13 is made for the purpose of a criminal investigation that
14 is otherwise lawful.

15 (2) The intentional dissemination of an image of
16 another identifiable person who is engaged in a sexual act
17 or whose intimate parts are exposed when the dissemination
18 is for the purpose of, or in connection with, the
19 reporting of unlawful conduct.

20 (3) The intentional dissemination of an image of
21 another identifiable person who is engaged in a sexual act
22 or whose intimate parts are exposed when the images
23 involve voluntary exposure in public or commercial
24 settings.

25 (4) The intentional dissemination of an image of
26 another identifiable person who is engaged in a sexual act

1 or whose intimate parts are exposed when the dissemination
2 serves a lawful public purpose.

3 (d) Nothing in this Section shall be construed to impose
4 liability upon the following entities solely as a result of
5 content or information provided by another person:

6 (1) an interactive computer service, as defined in 47
7 U.S.C. 230(f)(2);

8 (2) a provider of public mobile services or private
9 radio services, as defined in Section 13-214 of the Public
10 Utilities Act; or

11 (3) a telecommunications network or broadband
12 provider.

13 (e) A person convicted under this Section is subject to
14 the forfeiture provisions in Article 124B of the Code of
15 Criminal Procedure of 1963.

16 (f) Sentence. Non-consensual dissemination of private
17 sexual images is a Class 4 felony.

18 (Source: P.A. 103-825, eff. 1-1-25.)

19 Section 10. The Removal of Private Compromising Images Act
20 is amended by changing Section 5 as follows:

21 (735 ILCS 115/5)

22 Sec. 5. Definitions. As used in this Act:

23 "Image" has the meaning provided in subsection (a) of
24 Section 11-23.5 of the Criminal Code of 2012 and includes a

1 computer-generated image or video, whether made, produced, or
2 altered by electronic, mechanical, or other means.

3 "Intimate parts" has the meaning provided in subsection
4 (a) of Section 11-23.5 of the Criminal Code of 2012.

5 (Source: P.A. 101-385, eff. 1-1-20.)