

1 AN ACT concerning sex offenders.

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 1961 is amended by changing
5 Section 12-7.4 as follows:

6 (720 ILCS 5/12-7.4) (from Ch. 38, par. 12-7.4)

7 (Text of Section after amendment by P.A. 96-1551)

8 Sec. 12-7.4. Aggravated stalking.

9 (a) A person commits aggravated stalking when he or she
10 commits stalking and:

11 (1) causes bodily harm to the victim;

12 (2) confines or restrains the victim; or

13 (3) violates a temporary restraining order, an order of
14 protection, a stalking no contact order, a civil no contact
15 order, or an injunction prohibiting the behavior described
16 in subsection (b)(1) of Section 214 of the Illinois
17 Domestic Violence Act of 1986.

18 (a-1) A person commits aggravated stalking when he or she
19 is required to register under the Sex Offender Registration Act
20 or has been previously required to register under that Act and
21 commits the offense of stalking when the victim of the stalking
22 is also the victim of the offense for which the sex offender is
23 required to register under the Sex Offender Registration Act or

1 a family member of the victim.

2 (b) Sentence. Aggravated stalking is a Class 3 felony; a
3 second or subsequent conviction is a Class 2 felony.

4 (c) Exemptions.

5 (1) This Section does not apply to any individual or
6 organization (i) monitoring or attentive to compliance
7 with public or worker safety laws, wage and hour
8 requirements, or other statutory requirements, or (ii)
9 picketing occurring at the workplace that is otherwise
10 lawful and arises out of a bona fide labor dispute
11 including any controversy concerning wages, salaries,
12 hours, working conditions or benefits, including health
13 and welfare, sick leave, insurance, and pension or
14 retirement provisions, the managing or maintenance of
15 collective bargaining agreements, and the terms to be
16 included in those agreements.

17 (2) This Section does not apply to an exercise of the
18 right of free speech or assembly that is otherwise lawful.

19 (3) Telecommunications carriers, commercial mobile
20 service providers, and providers of information services,
21 including, but not limited to, Internet service providers
22 and hosting service providers, are not liable under this
23 Section, except for willful and wanton misconduct, by
24 virtue of the transmission, storage, or caching of
25 electronic communications or messages of others or by
26 virtue of the provision of other related

1 telecommunications, commercial mobile services, or
2 information services used by others in violation of this
3 Section.

4 (Source: P.A. 96-686, eff. 1-1-10; 96-1551, eff. 7-1-11.)