

1 AN ACT concerning criminal law.

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 adding
5 Section 12-7.7 as follows:

6 (720 ILCS 5/12-7.7 new)

7 Sec. 12-7.7. Perpetual harassment.

8 (a) A person commits perpetual harassment when he or she
9 purposely and repeatedly harasses another person or follows
10 another person with the intent of harassing that person.

11 (b) Sentence. Perpetual harassment is a Class A
12 misdemeanor. A second or subsequent conviction for perpetual
13 harassment is a Class 4 felony if the offense was committed
14 against the same victim.

15 (c) For the purposes of this Section, "harass" means to
16 engage in a course of conduct directed at a specific person
17 that serves no legitimate purpose, that would cause a
18 reasonable person to suffer substantial emotional distress,
19 and that actually causes substantial emotional distress to that
20 person; and "substantial emotional distress" means significant
21 mental suffering, anxiety, or alarm.

22 (d) Perpetual harassment does not include an exercise of
23 the right to free speech or assembly that is otherwise lawful

1 or picketing occurring at the workplace that is otherwise
2 lawful and arises out of a bona fide labor dispute, including
3 any controversy concerning wages, salaries, hours, working
4 conditions or benefits, including health and welfare, sick
5 leave, insurance, and pension or retirement provisions, the
6 making or maintaining of collective bargaining agreements, and
7 the terms to be included in those agreements.