



Rep. Joe Sosnowski

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09800HB1199ham002

LRB098 00243 MLW 43959 a

1 AMENDMENT TO HOUSE BILL 1199

2 AMENDMENT NO. _____. Amend House Bill 1199 by replacing
3 everything after the enacting clause with the following:

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

6 (720 ILCS 5/21-2.5 new)

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 "State agency" means all departments, officers,
13 commissions, boards, institutions, and bodies politic and
14 corporate of the State. The term, however, does not mean
15 the judicial branch, including, without limitation, the
16 several courts of the State, the offices of the clerk of

1 the supreme court and the clerks of the appellate court,
2 and the Administrative Office of the Illinois Courts, nor
3 does it mean the legislature or its committees or
4 commissions.

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

12 "Vehicle" has the meaning ascribed to it in Section
13 1-217 of the Illinois Vehicle Code.

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

17 (c) This Section does not apply:

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

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

23 (3) when the vehicle is owned or leased by a business
24 that is authorized to transact business in this State and
25 the tracking device is used by the business for the purpose
26 of tracking vehicles driven by employees of that business,

1 its affiliates, or contractors of that business or its
2 affiliates;

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

10 (5) telematic services that were installed by the
11 manufacturer, or installed by or with the consent of the
12 owner or lessee of the vehicle and to which the owner or
13 lessee has subscribed. Consent by the owner or lessee of
14 the vehicle constitutes consent for any other driver or
15 passenger of that vehicle.

16 (d) Sentence. A violation of this Section is a Class A
17 misdemeanor."