

1 AN ACT in relation to 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
5 changing Section 26-4 as follows:

6 (720 ILCS 5/26-4) (from Ch. 38, par. 26-4)

7 Sec. 26-4. Unauthorized videotaping.

8 (a) It is unlawful for any person to knowingly
9 videotape, photograph, or film another person without that
10 person's consent in a restroom, tanning bed, tanning salon,
11 locker room, changing room, or hotel bedroom.

12 (a-3) It is unlawful for any person to knowingly
13 electronically monitor, televise, or view another person
14 without that person's knowledge in a restroom, tanning bed,
15 tanning salon, locker room, changing room, or hotel bedroom.

16 (a-5) It is unlawful for any person to knowingly and
17 secretly videotape, photograph, or film another person in the
18 other person's residence without that person's consent.

19 (b) Exemptions. The following activities shall be
20 exempt from the provisions of this Section:

21 (1) Videotaping, photographing, and filming by law
22 enforcement officers pursuant to a criminal
23 investigation, which is otherwise lawful;

24 (2) Videotaping, photographing, and filming by
25 correctional officials for security reasons or for
26 investigation of alleged misconduct involving a person
27 committed to the Department of Corrections.

28 (c) The provisions of this Section do not apply to any
29 sound recording of an oral conversation made as the result of
30 the videotaping or filming, and to which Article 14 of this
31 Code applies.

1 (d) Sentence.

2 (1) A violation of subsection (a), (a-3), or (a-5)
3 is a Class A misdemeanor.

4 (2) A person who, by any means, knowingly
5 disseminates or permits the dissemination to another
6 person of a videotape, photograph, or film in violation
7 of subsection (a), (a-3), or (a-5) is guilty of a Class 4
8 felony.

9 (Source: P.A. 91-910, eff. 1-1-01.)