

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, changing room, or hotel bedroom. In this
16 subsection (a-3), "changing room" includes a school, health
17 club, or gymnasium locker room.

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

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

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

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

30 (3) Videotaping, photographing, and filming by
31 representatives of the news media for the purpose of

1 newsgathering when there is no reasonable expectation of
2 privacy. For the purpose of this paragraph (3), "news
3 media" means a newspaper or other periodical issued at
4 regular intervals whether in print or in electronic
5 format, a news service whether in print or electronic
6 format, a radio station, a television station or
7 television network, a community antenna television
8 service, or a person or corporation engaged in making
9 news reels or other motion picture news for public
10 showing.

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

15 (d) Sentence.

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

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

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