



Sen. Ira I. Silverstein

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10000SB0628sam001

LRB100 04120 RLC 23457 a

1 AMENDMENT TO SENATE BILL 628

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 628 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 26-4.6 as follows:

6 (720 ILCS 5/26-4.6 new)

7 Sec. 26-4.6. Unauthorized visual recording.

8 (a) As used in this Section:

9 "Computer", "computer program", and "data" have the  
10 meanings ascribed to them in Section 17-0.5 of this Code.

11 "Depiction by computer" means a computer program or  
12 data that, after being processed by a computer either alone  
13 or in conjunction with one or more computer programs,  
14 results in a visual depiction on a computer monitor,  
15 screen, or display.

16 "Disclose" means to sell, manufacture, give, provide,

1 lend, trade, mail, deliver, transfer, publish, distribute,  
2 circulate, disseminate, present, exhibit, advertise,  
3 offer, or otherwise make available or make known to any  
4 third party.

5 "Disseminate" means (1) to sell, distribute, exchange,  
6 or transfer possession, whether with or without  
7 consideration or (2) to make a depiction by computer  
8 available for distribution or downloading through the  
9 facilities of any telecommunications network or through  
10 any other means of transferring computer programs or data  
11 to a computer.

12 (b) A person commits unauthorized visual recording when he  
13 or she is present at a motor vehicle accident or other  
14 emergency situation and knowingly photographs, films,  
15 videotapes, records, or otherwise reproduces in any manner the  
16 image of a human corpse or a person being provided medical care  
17 or assistance, except for a legitimate law enforcement purpose,  
18 public safety purpose, health care purpose, insurance purpose,  
19 legal investigation or legal proceeding involving an injured or  
20 deceased person, or under a court order.

21 (c) Sentence. A person who violates this Section is guilty  
22 of a Class C misdemeanor for a first offense and a Class B  
23 misdemeanor for a second or subsequent offense."