



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2970

Introduced 2/16/2023, by Rep. Christopher "C.D" Davidsmeyer

SYNOPSIS AS INTRODUCED:

720 ILCS 5/26-8 new

Amends the Criminal Code of 2012. Creates the offense of unlawful publication of criminal activity. Provides that a person commits the offense when he or she knowingly makes a video record or live video of a crime while the crime is being committed and transmits or uploads the video record or live video of the crime to a social media site. Provides that a person who commits unlawful publication of criminal activity shall be sentenced to the same penalty as the penalty for the crime being transmitted or uploaded to a social media site. Provides exceptions. Defines terms.

LRB103 29534 RLC 55929 b

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 2012 is amended by adding
5 Section 26-8 as follows:

6 (720 ILCS 5/26-8 new)

7 Sec. 26-8. Publication of photographs or video recordings
8 of crimes being committed prohibited; exceptions.

9 (a) In this Section:

10 "Internet" has the meaning ascribed to it in Section
11 16-0.1.

12 "Live video" and "video record" have the meanings ascribed
13 to them in Section 26-4.

14 "Social media site" means an Internet website where users
15 are able to share and generate content, and find and connect
16 with other users of common interests.

17

18 (b) A person commits unlawful publication of criminal
19 activity when he or she knowingly makes a video record or live
20 video of a crime while the crime is being committed and
21 transmits or uploads the video record or live video of the
22 crime to a social media site.

23 (c) This Section does not apply to law enforcement

1 agencies or officers, businesses, or other persons who post
2 the video record or live video for its evidentiary value in a
3 civil or criminal proceeding arising from the posting of the
4 video record or live video of the crime or for seeking
5 identification of the person alleged to be committing the
6 crime in the video record or live video.

7 (d) Sentence. A person who commits unlawful publication of
8 criminal activity shall be sentenced to the same penalty as
9 the penalty for the crime being transmitted or uploaded to a
10 social media site.