

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 11-20.2 as follows:

6 (720 ILCS 5/11-20.2) (from Ch. 38, par. 11-20.2)

7 Sec. 11-20.2. Images of child pornography.

8 (a) Any commercial film and photographic print  
9 processor, Internet service provider, or person who services  
10 or repairs a computer who has knowledge of or observes,  
11 within the scope of his or her professional capacity or  
12 employment, any film, photograph, videotape, negative, or  
13 slide, or computer image which depicts a child whom the  
14 processor, Internet service provider, or person who services  
15 or repairs a computer knows or reasonably should know to be  
16 under the age of 18 where such child is:

17 (i) actually or by simulation engaged in any act of  
18 sexual intercourse with any person or animal; or

19 (ii) actually or by simulation engaged in any act of  
20 sexual contact involving the sex organs of the child and the  
21 mouth, anus, or sex organs of another person or animal; or  
22 which involves the mouth, anus or sex organs of the child and  
23 the sex organs of another person or animal; or

24 (iii) actually or by simulation engaged in any act of  
25 masturbation; or

26 (iv) actually or by simulation portrayed as being the  
27 object of, or otherwise engaged in, any act of lewd fondling,  
28 touching, or caressing involving another person or animal; or

29 (v) actually or by simulation engaged in any act of  
30 excretion or urination within a sexual context; or

31 (vi) actually or by simulation portrayed or depicted as

1 bound, fettered, or subject to sadistic, masochistic, or  
2 sadomasochistic abuse in any sexual context; shall report  
3 such instance to a peace officer immediately or as soon as  
4 possible. Failure to make such report ~~is~~ shall-be a petty  
5 business offense with a fine of \$1,000.

6 (b) In this Section:

7 "Computer" has the meaning ascribed to it in Section  
8 16D-2 of this Code.

9 "Internet" means an interactive computer service or  
10 system or an information service, system, or access software  
11 provider that provides or enables computer access by multiple  
12 users to a computer server, and includes, but is not limited  
13 to, an information service, system, or access software  
14 provider that provides access to a network system commonly  
15 known as the Internet, or any comparable system or service  
16 and also includes, but is not limited to, a World Wide Web  
17 page, newsgroup, message board, mailing list, or chat area on  
18 any interactive computer service or system or other online  
19 service.

20 "Internet service provider" means an entity that provides  
21 end user access to the Internet.

22 (Source: P.A. 84-1280.)