

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

15 (a-10) It is unlawful for any person, using a concealed  
16 camcorder or photographic camera of any type, to knowingly  
17 and secretly videotape, photograph, or record by electronic  
18 means, another person under or through the clothing worn by  
19 that other person for the purpose of viewing the body of or  
20 the undergarments worn by that other person without that  
21 person's consent.

22 (a-15) It is unlawful for any person to knowingly  
23 videotape, photograph, or film another person in that other  
24 person's residence, whether owned or rented, with a concealed  
25 or hidden camera or other video recording device without that  
26 other person's consent.

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

29 (1) Videotaping, photographing, and filming by law  
30 enforcement officers pursuant to a criminal  
31 investigation, which is otherwise lawful;

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

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

9           (d) Sentence.

10           (1) A violation of subsection (a), (a-5), ~~or~~  
11           (a-10), or (a-15) is a Class A misdemeanor.

12           (2) A person who, by any means, knowingly  
13           disseminates or permits the dissemination to another  
14           person of a videotape, photograph, or film in violation  
15           of subsection (a), (a-5), ~~or (a-10)~~, or (a-15) is guilty  
16           of a Class 4 felony.

17           (Source: P.A. 91-910, eff. 1-1-01; 92-86, eff. 7-12-01.)