

# HB3373



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3373

Introduced 2/24/2011, by Rep. Jehan A. Gordon

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/17-30 new

Amends the Criminal Code of 1961. Creates the offense of Caller ID spoofing. Provides that a person commits the offense when he or she, in connection with any telecommunications service or voice over Internet protocol (VoIP) service, knowingly causes any caller identification service to transmit misleading or inaccurate caller identification information with the intent to deceive, defraud, mislead, harass, cause emotional distress, or wrongfully obtain anything of value. Provides exemptions. Provides that a first offense is a Class B misdemeanor and a second or subsequent offense is a Class A misdemeanor.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 1961 is amended by adding  
5 Section 17-30 as follows:

6 (720 ILCS 5/17-30 new)

7 Sec. 17-30. Caller ID spoofing.

8 (a) A person commits Caller ID spoofing when he or she, in  
9 connection with any telecommunications service or voice over  
10 Internet protocol (VoIP) service, knowingly causes any caller  
11 identification service to transmit misleading or inaccurate  
12 caller identification information with the intent to deceive,  
13 defraud, mislead, harass, cause emotional distress, or  
14 wrongfully obtain anything of value.

15 (b) Definitions. As used in this Section:

16 "Caller identification service" means any service or  
17 device designed to provide the user of the service or  
18 device with the telephone number of, or other information  
19 regarding the origination of, a call made using a  
20 telecommunications service or VoIP service. This term  
21 includes automatic number identification services.

22 "Caller identification information" means the name,  
23 telephone number, or other identifying data of the person

1 or entity originating a call using a telecommunications  
2 service or VoIP service.

3 (c) This Section does not apply to:

4 (1) Any blocking of caller identification information.

5 (2) Any authorized activity of a municipal, State, or  
6 federal law enforcement agency.

7 (3) Any authorized activity of a federal intelligence  
8 or security agency.

9 (4) Any duly authorized process server that is used in  
10 connection with a civil, criminal, administrative, or  
11 arbitral proceeding, including the service of process,  
12 investigation in anticipation of litigation, the execution  
13 or enforcement of judgments, or compliance with the orders  
14 of any court.

15 (d) Sentence. Caller ID spoofing is a Class B misdemeanor.

16 A second or subsequent violation of this Section is a Class A  
17 misdemeanor.

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