

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Records Act is amended by changing  
5 Section 4a as follows:

6 (5 ILCS 160/4a)

7 Sec. 4a. Arrest reports.

8 (a) When an individual is arrested, the following  
9 information must be made available to the news media for  
10 inspection and copying:

11 (1) Information that identifies the individual,  
12 including the name, age, address, and photograph, when and  
13 if available.

14 (2) Information detailing any charges relating to the  
15 arrest.

16 (3) The time and location of the arrest.

17 (4) The name of the investigating or arresting law  
18 enforcement agency.

19 (5) If the individual is incarcerated, the amount of  
20 any bail or bond.

21 (6) If the individual is incarcerated, the time and  
22 date that the individual was received, discharged, or  
23 transferred from the arresting agency's custody.

1 (b) The information required by this Section must be made  
2 available to the news media for inspection and copying as soon  
3 as practicable, but in no event shall the time period exceed 72  
4 hours from the arrest. The information described in paragraphs  
5 (3), (4), (5), and (6) of subsection (a), however, may be  
6 withheld if it is determined that disclosure would:

7 (1) interfere with pending or actually and reasonably  
8 contemplated law enforcement proceedings conducted by any  
9 law enforcement or correctional agency;

10 (2) endanger the life or physical safety of law  
11 enforcement or correctional personnel or any other person;  
12 or

13 (3) compromise the security of any correctional  
14 facility.

15 (c) For the purposes of this Section, the term "news media"  
16 means personnel of a newspaper or other periodical issued at  
17 regular intervals whether in print or electronic format, a news  
18 service whether in print or electronic format, a radio station,  
19 a television station, a television network, a community antenna  
20 television service, or a person or corporation engaged in  
21 making news reels or other motion picture news for public  
22 showing.

23 (d) Each law enforcement or correctional agency may charge  
24 fees for arrest records, but in no instance may the fee exceed  
25 the actual cost of copying and reproduction. The fees may not  
26 include the cost of the labor used to reproduce the arrest

1 record.

2 (e) The provisions of this Section do not supersede the  
3 confidentiality provisions for arrest records of the Juvenile  
4 Court Act of 1987.

5 (f) All information, including photographs, made available  
6 under this Section is subject to the provisions of Section 2000  
7 of the Consumer Fraud and Deceptive Business Practices Act.

8 (Source: P.A. 91-309, eff. 7-29-99; 92-16, eff. 6-28-01;  
9 92-335, eff. 8-10-01.)

10 Section 10. The Local Records Act is amended by changing  
11 Section 3b as follows:

12 (50 ILCS 205/3b)

13 Sec. 3b. Arrest reports.

14 (a) When an individual is arrested, the following  
15 information must be made available to the news media for  
16 inspection and copying:

17 (1) Information that identifies the individual,  
18 including the name, age, address, and photograph, when and  
19 if available.

20 (2) Information detailing any charges relating to the  
21 arrest.

22 (3) The time and location of the arrest.

23 (4) The name of the investigating or arresting law  
24 enforcement agency.

1           (5) If the individual is incarcerated, the amount of  
2           any bail or bond.

3           (6) If the individual is incarcerated, the time and  
4           date that the individual was received, discharged, or  
5           transferred from the arresting agency's custody.

6           (b) The information required by this Section must be made  
7           available to the news media for inspection and copying as soon  
8           as practicable, but in no event shall the time period exceed 72  
9           hours from the arrest. The information described in paragraphs  
10          (3), (4), (5), and (6) of subsection (a), however, may be  
11          withheld if it is determined that disclosure would:

12           (1) interfere with pending or actually and reasonably  
13           contemplated law enforcement proceedings conducted by any  
14           law enforcement or correctional agency;

15           (2) endanger the life or physical safety of law  
16           enforcement or correctional personnel or any other person;  
17           or

18           (3) compromise the security of any correctional  
19           facility.

20          (c) For the purposes of this Section the term "news media"  
21          means personnel of a newspaper or other periodical issued at  
22          regular intervals whether in print or electronic format, a news  
23          service whether in print or electronic format, a radio station,  
24          a television station, a television network, a community antenna  
25          television service, or a person or corporation engaged in  
26          making news reels or other motion picture news for public

1 showing.

2 (d) Each law enforcement or correctional agency may charge  
3 fees for arrest records, but in no instance may the fee exceed  
4 the actual cost of copying and reproduction. The fees may not  
5 include the cost of the labor used to reproduce the arrest  
6 record.

7 (e) The provisions of this Section do not supersede the  
8 confidentiality provisions for arrest records of the Juvenile  
9 Court Act of 1987.

10 (f) All information, including photographs, made available  
11 under this Section is subject to the provisions of Section 2000  
12 of the Consumer Fraud and Deceptive Business Practices Act.

13 (Source: P.A. 91-309, eff. 7-29-99; 92-16, eff. 6-28-01;  
14 92-335, eff. 8-10-01.)

15 Section 15. The Consumer Fraud and Deceptive Business  
16 Practices Act is amended by adding Section 2000 as follows:

17 (815 ILCS 505/2000 new)

18 Sec. 2000. Criminal record information.

19 (a) It is an unlawful practice for any person engaged in  
20 publishing or otherwise disseminating criminal record  
21 information through a print or electronic medium to solicit or  
22 accept the payment of a fee or other consideration to remove,  
23 correct, or modify said criminal record information.

24 (b) For the purposes of this Section, "criminal record

1 information" includes any and all of the following:

2 (1) descriptions or notations of any arrests, any  
3 formal criminal charges, and the disposition of those  
4 criminal charges, including, but not limited to, any  
5 information made available under Section 4a of the State  
6 Records Act or Section 3b of the Local Records Act;

7 (2) photographs of the person taken pursuant to an  
8 arrest or other involvement in the criminal justice system;  
9 or

10 (3) personal identifying information, including a  
11 person's name, address, date of birth, photograph, and  
12 social security number or other government-issued  
13 identification number.