



Sen. Michael E. Hastings

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LRB098 17939 RLC 55414 a

1 AMENDMENT TO SENATE BILL 2694

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2694 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by  
5 changing Section 11-23 as follows:

6 (720 ILCS 5/11-23)

7 Sec. 11-23. Posting of identifying or graphic information  
8 on a pornographic Internet site or possessing graphic  
9 information with pornographic material; posting private  
10 material.

11 (a) A person at least 17 years of age who knowingly  
12 discloses on an adult obscenity or child pornography Internet  
13 site the name, address, telephone number, or e-mail address of  
14 a person under 17 years of age at the time of the commission of  
15 the offense or of a person at least 17 years of age without the  
16 consent of the person at least 17 years of age is guilty of

1 posting of identifying information on a pornographic Internet  
2 site.

3 (a-5) Any person who knowingly places, posts, reproduces,  
4 or maintains on an adult obscenity or child pornography  
5 Internet site a photograph, video, or digital image of a person  
6 under 18 years of age that is not child pornography under  
7 Section 11-20.1, without the knowledge and consent of the  
8 person under 18 years of age, is guilty of posting of graphic  
9 information on a pornographic Internet site. This provision  
10 applies even if the person under 18 years of age is fully or  
11 properly clothed in the photograph, video, or digital image.

12 (a-10) Any person who knowingly places, posts, reproduces,  
13 or maintains on an adult obscenity or child pornography  
14 Internet site, or possesses with obscene or child pornographic  
15 material a photograph, video, or digital image of a person  
16 under 18 years of age in which the child is posed in a  
17 suggestive manner with the focus or concentration of the image  
18 on the child's clothed genitals, clothed pubic area, clothed  
19 buttocks area, or if the child is female, the breast exposed  
20 through transparent clothing, and the photograph, video, or  
21 digital image is not child pornography under Section 11-20.1,  
22 is guilty of posting of graphic information on a pornographic  
23 Internet site or possessing graphic information with  
24 pornographic material.

25 (a-15) A person who knowingly places, posts, or reproduces  
26 on an Internet site a photograph, video, or digital image of a

1 person who is 18 years of age or older in a state of nudity, in  
2 a state of sexual excitement, or engaged in any act of sexual  
3 conduct or sexual penetration, without the knowledge and  
4 consent of that person, is guilty of posting private material.

5 (b) Sentence. A person who violates subsection (a) of this  
6 Section is guilty of a Class 4 felony if the victim is at least  
7 17 years of age at the time of the offense and a Class 3 felony  
8 if the victim is under 17 years of age at the time of the  
9 offense. A person who violates subsection (a-5) or (a-15) of  
10 this Section is guilty of a Class 4 felony. A person who  
11 violates subsection (a-10) of this Section is guilty of a Class  
12 3 felony.

13 (c) Definitions. For purposes of this Section:

14 (1) "Adult obscenity or child pornography Internet  
15 site" means a site on the Internet that contains material  
16 that is obscene as defined in Section 11-20 of this Code or  
17 that is child pornography as defined in Section 11-20.1 of  
18 this Code.

19 (2) "Internet" has the meaning set forth in Section  
20 16-0.1 of this Code.

21 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

22 Section 10. The Consumer Fraud and Deceptive Business  
23 Practices Act is amended by adding Section 2RRR as follows:

24 (815 ILCS 505/2RRR new)

1       Sec. 2RRR. Removal of private material and identifying  
2 information.

3       (a) It is an unlawful practice for any person engaged in  
4 placing, posting, publishing, reproducing, or maintaining an  
5 Internet site to solicit or accept the payment of a fee or  
6 other consideration for removal of a person's private material  
7 or identifying information, which has been placed, posted,  
8 published, reproduced, or maintained on an Internet site  
9 without knowledge and consent of that person.

10       (b) As used in this Section:

11       (1) "Private material" means any photograph, video, or  
12 digital image of a person in a state of nudity, in a state  
13 of sexual excitement, or engaged in any act of sexual  
14 conduct or sexual penetration.

15       (2) "Identifying information" means name, address,  
16 telephone number, or e-mail address of a person that has  
17 been placed on an Internet site in violation of Section  
18 11-23 of the Criminal Code of 2012."