

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
5 adding Section 12-7.5 as follows:

6 (720 ILCS 5/12-7.5 new)

7 Sec. 12-7.5. Cyberstalking.

8 (a) A person commits cyberstalking when he or she,
9 knowingly and without lawful justification, on at least 2
10 separate occasions, harasses another person through the use
11 of electronic communication and:

12 (1) at any time transmits a threat of immediate or
13 future bodily harm, sexual assault, confinement, or
14 restraint and the threat is directed towards that person
15 or a family member of that person, or

16 (2) places that person or a family member of that
17 person in reasonable apprehension of immediate or future
18 bodily harm, sexual assault, confinement, or restraint.

19 (b) As used in this Section:

20 "Harass" means a knowing and willful course of conduct
21 directed at a specific person that alarms, annoys, torments,
22 or terrorizes that person.

23 "Electronic communication" means any transfer of signs,
24 signals, writings, sounds, data, or intelligence of any
25 nature transmitted in whole or in part by a wire, radio,
26 electronmagnetic, photoelectric, or photo-optical system.

27 "Electronic communication" includes transmissions by a
28 computer through the Internet to another computer.

29 (c) Sentence. Cyberstalking is a Class 4 felony. A
30 second or subsequent conviction for cyberstalking is a Class
31 3 felony.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.