

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 adding Section 17-25 as follows:

6 (720 ILCS 5/ 17-25 new)

7 Sec. 17-25. Written approval of telephone directory
8 advertisements.

9 (a) In this Section:

10 "Advertisement" means a listing of the name, address,
11 telephone number, e-mail address, or other information
12 concerning a business.

13 "Business" means a place where a trade or occupation is
14 conducted, services are offered for sale to the public, or
15 where tangible personal property is displayed, held, stored,
16 or offered for sale to the public.

17 "Business" also includes a place where a public officer
18 or employee conducts any business. "Business" does not
19 include a place that serves only as a residence.

20 "Internet" means an interactive computer service or
21 system or an information service, system, or access software
22 provider that provides or enables computer access by
23 multiple users to a computer server, and includes, but is not
24 limited to, an information service, system, or access
25 software provider that provides access to a network
26 system commonly known as the Internet, or any comparable
27 system or service and also includes, but is not limited
28 to, a World Wide Web page, newsgroup, message board, mailing
29 list, or chat area on any interactive computer service or
30 system or other online service.

31 "Access" and "computer" have the meanings ascribed

1 to them in Section 16D-2 of this Code.

2 "Telephone directory" means a listing of business names
3 and addresses, whether printed or available on the Internet.

4 (b) It is unlawful for a person to knowingly publish or
5 cause to be published in a telephone directory an
6 advertisement for a business without the written consent of
7 the owner of the business.

8 (c) Sentence. A violation of this Section is a petty
9 offense for which the court must sentence the offender to a
10 fine of \$500. Each publication of an advertisement for a
11 business without the written approval of the owner of the
12 business is a separate offense.

13 (d) It is a defense to a violation of this Section that
14 the person who published the advertisement or caused the
15 advertisement to be published made a reasonable effort to
16 contact the owner of the business and obtain the consent of
17 the owner of the business before publication of the
18 advertisement.