

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 changing Section 26-4 as follows:

6 (720 ILCS 5/26-4) (from Ch. 38, par. 26-4)

7 Sec. 26-4. Unauthorized videotaping.

8 (a) It is unlawful for any person to knowingly  
9 videotape, photograph, or film another person without that  
10 person's consent in a restroom, tanning bed, tanning salon,  
11 locker room, changing room, or hotel bedroom.

12 (a-5) It is unlawful for any person to knowingly and  
13 secretly videotape, photograph, or film another person in the  
14 other person's residence without that person's consent.

15 (a-10) It is unlawful for any person, using a concealed  
16 camcorder or photographic camera of any type, to knowingly  
17 and secretly videotape, photograph, or record by electronic  
18 means, another person under or through the clothing worn by  
19 that other person for the purpose of viewing the body of or  
20 the undergarments worn by that other person without that  
21 person's consent.

22 (b) Exemptions. The following activities shall be  
23 exempt from the provisions of this Section:

24 (1) Videotaping, photographing, and filming by law  
25 enforcement officers pursuant to a criminal  
26 investigation, which is otherwise lawful;

27 (2) Videotaping, photographing, and filming by  
28 correctional officials for security reasons or for  
29 investigation of alleged misconduct involving a person  
30 committed to the Department of Corrections.

31 (c) The provisions of this Section do not apply to any

1 sound recording of an oral conversation made as the result of  
2 the videotaping or filming, and to which Article 14 of this  
3 Code applies.

4 (d) Sentence.

5 (1) A violation of subsection (a), ~~or (a-5),~~ or  
6 (a-10) is a Class A misdemeanor.

7 (2) A person who, by any means, knowingly  
8 disseminates or permits the dissemination to another  
9 person of a videotape, photograph, or film in violation  
10 of subsection (a), ~~or (a-5),~~ or (a-10) is guilty of a  
11 Class 4 felony.

12 (Source: P.A. 91-910, eff. 1-1-01.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.