

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 16D-5.5 as follows:

6 (720 ILCS 5/16D-5.5 new)

7 Sec. 16D-5.5. Computerized dissemination of information  
8 in furtherance of gang-related activity.

9 (a) A person commits the offense of computerized  
10 dissemination of information in furtherance of gang-related  
11 activity when he or she, by use of the Internet or an on-line  
12 service, disseminates any verbal, written, or pictorial items  
13 or imagery used by a criminal street gang and distributed in  
14 furtherance of the activities of the criminal street gang  
15 including, but not limited to, recruiting or aiding in the  
16 recruitment of criminal street gang members, communications  
17 between criminal street gang members, or communications from  
18 criminal street gang members to the general public offering  
19 gang-related goods or services for sale, including controlled  
20 substances.

21 (b) Defenses. It is not a violation of this Section to:

22 (1) Disseminate gang-related data communication  
23 between law enforcement agencies or law enforcement  
24 officers;

25 (2) Disseminate gang-related information for  
26 purposes of law enforcement, including posting of Web  
27 pages by law enforcement agencies or law enforcement  
28 officers to inform the public of the existence of imagery  
29 of specified criminal street gangs; or

30 (3) Disseminate gang-related information for  
31 purposes of news gathering and news publication.

1       (c) Sentence. Computerized dissemination of information  
2 in furtherance of gang-related activity is a Class 4 felony.

3       (d) Definitions. For purposes of this Section:

4           (1) "Criminal street gang" and "gang-related" have  
5 the meanings ascribed to them in Section 10 of the  
6 Illinois Streetgang Terrorism Omnibus Prevention Act.

7           (2) "Internet" includes the World Wide Web,  
8 electronic mail, a message board, a chat area, a  
9 newsgroup posting, or Internet file transfer.