

1 AN ACT in relation to the transmission of drug
2 information by the Internet.

3 Be it enacted by the People of the State of Illinois,
4 represented in the General Assembly:

5 Section 5. The Cannabis Control Act is amended by adding
6 Section 5.3 as follows:

7 (720 ILCS 550/5.3 new)

8 Sec. 5.3. Illegal transmission of cannabis information
9 by the Internet.

10 (a) A person commits the offense of illegal transmission
11 of cannabis information by the Internet when he or she
12 transmits information about cannabis by the Internet knowing
13 that the information will be used in furtherance of illegal
14 activity.

15 (b) Illegal transmission of cannabis information by the
16 Internet is a Class A misdemeanor.

17 (c) In this Section:

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

29 "Access" and "computer" have the meanings ascribed to
30 them in Section 16D-2 of the Criminal Code of 1961.

31 (d) It is not a violation of this Section for an

1 employee of a public library or a library of an institution
2 of higher learning to provide a person access to Internet
3 services through the library's computer network or the
4 library's computer if, without knowledge by the employee of
5 the library, the patron of the library transmits, by use of
6 the library's computer access to the Internet, information in
7 violation of this Section.

8 Section 10. The Illinois Controlled Substances Act is
9 amended by adding Section 407.3 as follows:

10 (720 ILCS 570/407.3 new)

11 Sec. 407.3. Illegal transmission of controlled substance
12 information by the Internet.

13 (a) A person commits the offense of illegal transmission
14 of controlled substance information by the Internet when he
15 or she transmits information about a controlled substance by
16 the Internet knowing that the information will be used in
17 furtherance of illegal activity.

18 (b) Illegal transmission of controlled substance
19 information by the Internet is a Class A misdemeanor.

20 (c) In this Section:

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

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2 (d) It is not a violation of this Section for an
3 employee of a public library or a library of an institution
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5 services through the library's computer network or the
6 library's computer if, without knowledge by the employee of
7 the library, the patron of the library transmits, by use of
8 the library's computer access to the Internet, information in
9 violation of this Section.