

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 11-20.2 as follows:

6 (720 ILCS 5/11-20.2) (from Ch. 38, par. 11-20.2)

7 Sec. 11-20.2. Image of child under 18 engaged in certain
8 acts; report to peace officer.

9 (a) Any commercial film and photographic print processor
10 who has knowledge of or observes, within the scope of his or
11 her professional capacity or employment, any film,
12 photograph, videotape, negative or slide which depicts a
13 child whom the processor knows or reasonably should know to
14 be under the age of 18 where such child is:

15 (i) actually or by simulation engaged in any act of
16 sexual intercourse with any person or animal; or

17 (ii) actually or by simulation engaged in any act
18 of sexual contact involving the sex organs of the child
19 and the mouth, anus, or sex organs of another person or
20 animal; or which involves the mouth, anus or sex organs
21 of the child and the sex organs of another person or
22 animal; or

23 (iii) actually or by simulation engaged in any act
24 of masturbation; or

25 (iv) actually or by simulation portrayed as being
26 the object of, or otherwise engaged in, any act of lewd
27 fondling, touching, or caressing involving another person
28 or animal; or

29 (v) actually or by simulation engaged in any act of
30 excretion or urination within a sexual context; or

31 (vi) actually or by simulation portrayed or

1 depicted as bound, fettered, or subject to sadistic,
2 masochistic, or sadomasochistic abuse in any sexual
3 context;

4 shall report such instance to a peace officer immediately or
5 as soon as possible. Failure to make such report shall be a
6 petty business offense with a fine of \$1,000.

7 (b) Any computer engineer, computer technician,
8 management information engineer, or management information
9 technician who has knowledge of or observes, within the scope
10 of his or her professional capacity or employment, any
11 computer image which depicts a child whom the engineer or
12 technician knows or reasonably should know to be under the
13 age of 18 where such child is:

14 (i) actually or by simulation engaged in any act of
15 sexual intercourse with any person or animal; or

16 (ii) actually or by simulation engaged in any act
17 of sexual contact involving the sex organs of the child
18 and the mouth, anus, or sex organs of another person or
19 animal; or which involves the mouth, anus or sex organs
20 of the child and the sex organs of another person or
21 animal; or

22 (iii) actually or by simulation engaged in any act
23 of masturbation; or

24 (iv) actually or by simulation portrayed as being
25 the object of, or otherwise engaged in, any act of lewd
26 fondling, touching, or caressing involving another person
27 or animal; or

28 (v) actually or by simulation engaged in any act of
29 excretion or urination within a sexual context; or

30 (vi) actually or by simulation portrayed or
31 depicted as bound, fettered, or subject to sadistic,
32 masochistic, or sadomasochistic abuse in any sexual
33 context;

34 shall report such instance to a peace officer immediately or

1 as soon as possible. Failure to make such report shall be a
2 petty offense with a fine of \$1,000.

3 (c) A commercial film or photographic print processor,
4 computer engineer, computer technician, management
5 information engineer, or management information technician
6 shall be forever held harmless from any civil liability for
7 his or her reasonable compliance with the provisions of this
8 Section.

9 (Source: P.A. 84-1280.)