

1 AN ACT in relation to the 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 (b) Exemptions. The following activities shall be
16 exempt from the provisions of this Section:

17 (1) Videotaping, photographing, and filming by law
18 enforcement officers pursuant to a criminal
19 investigation, which is otherwise lawful;

20 (2) Videotaping, photographing, and filming by
21 correctional officials for security reasons or for
22 investigation of alleged misconduct involving a person
23 committed to the Department of Corrections;

24 (3) Videotaping, photographing, and filming by a
25 private investigator licensed in Illinois acting within
26 the scope of his or her employment, provided that this
27 videotaping, photographing or filming is otherwise
28 lawful.

29 (c) The provisions of this Section do not apply to any
30 sound recording of an oral conversation made as the result of
31 the videotaping or filming, and to which Article 14 of this

1 Code applies.

2 (d) Sentence.

3 (1) A violation of subsection (a) or (a-5) is a
4 Class A misdemeanor.

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

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

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.