

AN ACT concerning children.

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

Section 5. The Abused and Neglected Child Reporting Act is amended by adding Section 4.5 as follows:

(325 ILCS 5/4.5 new)

Sec. 4.5. Electronic and information technology workers;
reporting child pornography.

(a) In this Section:

"Child pornography" means child pornography as described in Section 11-20.1 of the Criminal Code of 1961 or aggravated child pornography as described in Section 11-20.3 of the Criminal Code of 1961.

"Electronic and information technology equipment" means equipment used in the creation, manipulation, storage, display, or transmission of data, including internet and intranet systems, software applications, operating systems, video and multimedia, telecommunications products, kiosks, information transaction machines, copiers, printers, and desktop and portable computers.

"Electronic and information technology equipment worker" means a person who in the scope and course of his or her employment or business installs, repairs, or otherwise

services electronic and information technology equipment for a fee but does not include (i) an employee, independent contractor, or other agent of a telecommunications carrier or telephone or telecommunications cooperative, as those terms are defined in the Public Utilities Act, or (ii) an employee, independent contractor, or other agent of a provider of commercial mobile radio service, as defined in 47 C.F.R. 20.3.

(b) If an electronic and information technology equipment worker discovers any depiction of child pornography while installing, repairing, or otherwise servicing an item of electronic and information technology equipment, that worker or the worker's employer shall immediately report the discovery to the local law enforcement agency or to the Cyber Tipline at the National Center for Missing & Exploited Children.

(c) If a report is filed in accordance with the requirements of 42 U.S.C. 13032, the requirements of this Section 4.5 will be deemed to have been met.

(d) An electronic and information technology equipment worker or electronic and information technology equipment worker's employer who reports a discovery of child pornography as required under this Section is immune from any criminal, civil, or administrative liability in connection with making the report, except for willful or wanton misconduct.

(e) Failure to report a discovery of child pornography as required under this Section is a business offense subject to a fine of \$1,001.

Public Act 095-0944

HB4578 Enrolled

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