

1 AN ACT concerning children.

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

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

6 (325 ILCS 5/4.5 new)

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

9 (a) In this Section:

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

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

19 "Electronic and information technology equipment worker"
20 means a person who in the scope and course of his or her
21 employment or business installs, repairs, or otherwise
22 services electronic and information technology equipment for a
23 fee but does not include (i) an employee, independent

1 contractor, or other agent of a telecommunications carrier or
2 telephone or telecommunications cooperative, as those terms
3 are defined in the Public Utilities Act, or (ii) an employee,
4 independent contractor, or other agent of a provider of
5 commercial mobile radio service, as defined in 47 C.F.R. 20.3.

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

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

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

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

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