

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 or aggravated
12 child pornography as described in Section 11-20.3 of the
13 Criminal Code of 1961.

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

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

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

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

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

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

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

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