



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1103

Introduced 1/9/2025, by Rep. Jed Davis

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Online Age Verification for Material Harmful to Minors Act. Requires any commercial entity that knowingly or intentionally publishes or distributes material harmful to minors on the Internet from a website that contains a substantial portion of such material to verify that any person attempting to access such material is 18 years of age or older. Provides that verification must be done through the use of (i) a commercially available database that is regularly used by businesses or governmental entities for the purpose of age and identity verification or (ii) another commercially reasonable method of age and identity verification. Provides that any commercial entity that violates the Act shall be subject to civil liability for damages resulting from a minor's access to such material harmful to a minor and reasonable attorney's fees and costs. Exempts from liability providers or users of an interactive computer service on the Internet, as defined.

LRB104 03829 KTG 13853 b

1 AN ACT concerning civil law.

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

4 Section 1. Short title. This Act may be cited as the Online  
5 Age Verification for Material Harmful to Minors Act.

6 Section 5. Definitions. As used in this Act:

7 "Interactive computer service" means an information  
8 service, system, or access software provider that provides or  
9 enables computer access by multiple users to a computer  
10 service. "Interactive computer service" includes a service or  
11 system that provides access to the Internet and systems  
12 operated or services offered by a library or educational  
13 institution.

14 "Material harmful to minors" means any description or  
15 representation of nudity, sexual conduct, sexual excitement,  
16 or sadomasochistic abuse when it (i) appeals to the prurient,  
17 shameful, or morbid interest of minors; (ii) is patently  
18 offensive to prevailing standards in the adult community as a  
19 whole with respect to what is suitable material for minors;  
20 and (iii) is, when taken as a whole, lacking in serious  
21 literary, artistic, political, or scientific value for minors.

22 "Minor" means an individual under the age of 18 years.

23 "Sexual conduct" means actual or explicitly simulated acts

1 of masturbation, sexual intercourse, or physical contact in an  
2 act of apparent sexual stimulation or gratification with a  
3 person's clothed or unclothed genitals, pubic area, buttocks,  
4 or, if such be female, breast.

5 "Substantial portion" means more than 33 1/3% of total  
6 material on a website that meets the definition of material  
7 harmful to minors.

8 Section 10. Age verification for material harmful to  
9 minors on the Internet. Any commercial entity that knowingly  
10 or intentionally publishes or distributes material harmful to  
11 minors on the Internet from a website that contains a  
12 substantial portion of such material shall, through the use of  
13 (i) a commercially available database that is regularly used  
14 by businesses or governmental entities for the purpose of age  
15 and identity verification or (ii) another commercially  
16 reasonable method of age and identity verification, verify  
17 that any person attempting to access such material harmful to  
18 minors is 18 years of age or older.

19 Section 15. Civil liability. Any commercial entity that  
20 violates the provisions of this Act shall be subject to civil  
21 liability for damages resulting from a minor's access to such  
22 material harmful to a minor and reasonable attorney's fees and  
23 costs.

1       Section 20. Exemption. Nothing in this Act shall be  
2       construed to impose an obligation or liability on a provider  
3       or user of an interactive computer service on the Internet.