



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1766

Introduced 1/28/2025, by Rep. Christopher "C.D." Davidsmeyer

SYNOPSIS AS INTRODUCED:

720 ILCS 5/26-8 new

Amends the Criminal Code of 2012. Creates the offense of unlawful publication of criminal activity. Provides that a person commits the offense when he or she knowingly makes a video record or live video of a crime while the crime is being committed and transmits or uploads the video record or live video of the crime to a social media site. Provides that a person who commits unlawful publication of criminal activity shall be sentenced to the same penalty as the penalty for the crime being transmitted or uploaded to a social media site. Provides exceptions. Defines terms.

LRB104 07774 RLC 17819 b

1 AN ACT concerning 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 2012 is amended by adding
5 Section 26-8 as follows:

6 (720 ILCS 5/26-8 new)

7 Sec. 26-8. Publication of photographs or video recordings
8 of crimes being committed prohibited; exceptions.

9 (a) In this Section:

10 "Internet" has the meaning ascribed to it in Section
11 16-0.1.

12 "Live video" and "video record" have the meanings ascribed
13 to them in Section 26-4.

14 "Social media site" means an Internet website where users
15 are able to share and generate content, and find and connect
16 with other users of common interests.

17 (b) A person commits unlawful publication of criminal
18 activity when he or she knowingly makes a video record or live
19 video of a crime while the crime is being committed and
20 transmits or uploads the video record or live video of the
21 crime to a social media site.

22 (c) This Section does not apply to law enforcement
23 agencies or officers, businesses, or other persons who post

1 the video record or live video for its evidentiary value in a
2 civil or criminal proceeding arising from the posting of the
3 video record or live video of the crime or for seeking
4 identification of the person alleged to be committing the
5 crime in the video record or live video.

6 (d) Sentence. A person who commits unlawful publication of
7 criminal activity shall be sentenced to the same penalty as
8 the penalty for the crime being transmitted or uploaded to a
9 social media site.