

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****HB4000**

Introduced 3/4/2025, by Rep. Dennis Tipsword

**SYNOPSIS AS INTRODUCED:**

See Index

Amends the Law Enforcement Officer-Worn Body Camera Act. Provides that the Act does not apply to school resource officers, undercover or covert officers, or officers that are employed in an administrative capacity, except when undercover or covert officers are conducting interviews. Provides that a law enforcement officer is "in uniform" only when primarily assigned to respond to law enforcement-related encounters or activities. Adds a definition for "no expectation of privacy". Provides that, on and after January 1, 2027, an officer no longer needs to provide notice of recording to a person that has a reasonable expectation of privacy. Removes provisions prohibiting officers from viewing recordings prior to completing a report. Modifies exceptions to destruction of camera recordings if a recording has been flagged and when recordings may be used to discipline law enforcement officers. Provides that recordings are only subject to disclosure under the Freedom of Information Act when a recording is flagged due to the filing of a complaint, discharge of a firearm, use of force, arrest or detention, or resulting death or bodily harm and the subject of the encounter has a reasonable expectation of privacy at the time of the recording (removing other exceptions). Provides that only the subject of the recording or the subject's legal representative may obtain the portion of the recording containing the subject if the subject or legal representative provides written authorization to release the video. Makes other changes. Amends the Criminal Code of 2012 and Freedom of Information Act making conforming changes. Amends the Law Enforcement Camera Grant Act. Removes a requirement to include criminal and other violations and civil proceedings in which the cameras were used in reports that must be provided by a law enforcement agency receiving a grant for in-car video cameras or for officer-worn body cameras. Further amends the Criminal Code of 2012. Provides that a person also obstructs justice when, with intent to prevent the apprehension or obstruct the prosecution or defense of any person, he or she knowingly takes a body camera or any part of a body camera from a person known to be a peace officer. Provides that a violation is either a Class 1 felony or Class 2 felony.

LRB104 12419 RTM 22705 b

1 AN ACT concerning government.

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

4 Section 5. The Freedom of Information Act is amended by  
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 Sec. 7.5. Statutory exemptions. To the extent provided for  
8 by the statutes referenced below, the following shall be  
9 exempt from inspection and copying:

10 (a) All information determined to be confidential  
11 under Section 4002 of the Technology Advancement and  
12 Development Act.

13 (b) Library circulation and order records identifying  
14 library users with specific materials under the Library  
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical  
17 records received by the Experimental Organ Transplantation  
18 Procedures Board and any and all documents or other  
19 records prepared by the Experimental Organ Transplantation  
20 Procedures Board or its staff relating to applications it  
21 has received.

22 (d) Information and records held by the Department of  
23 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmitted  
2 infection or any information the disclosure of which is  
3 restricted under the Illinois Sexually Transmitted  
4 Infection Control Act.

5 (e) Information the disclosure of which is exempted  
6 under Section 30 of the Radon Industry Licensing Act.

7 (f) Firm performance evaluations under Section 55 of  
8 the Architectural, Engineering, and Land Surveying  
9 Qualifications Based Selection Act.

10 (g) Information the disclosure of which is restricted  
11 and exempted under Section 50 of the Illinois Prepaid  
12 Tuition Act.

13 (h) Information the disclosure of which is exempted  
14 under the State Officials and Employees Ethics Act, and  
15 records of any lawfully created State or local inspector  
16 general's office that would be exempt if created or  
17 obtained by an Executive Inspector General's office under  
18 that Act.

19 (i) Information contained in a local emergency energy  
20 plan submitted to a municipality in accordance with a  
21 local emergency energy plan ordinance that is adopted  
22 under Section 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution  
24 of surcharge moneys collected and remitted by carriers  
25 under the Emergency Telephone System Act.

26 (k) Law enforcement officer identification information

1 or driver identification information compiled by a law  
2 enforcement agency or the Department of Transportation  
3 under Section 11-212 of the Illinois Vehicle Code.

4 (l) Records and information provided to a residential  
5 health care facility resident sexual assault and death  
6 review team or the Executive Council under the Abuse  
7 Prevention Review Team Act.

8 (m) Information provided to the predatory lending  
9 database created pursuant to Article 3 of the Residential  
10 Real Property Disclosure Act, except to the extent  
11 authorized under that Article.

12 (n) Defense budgets and petitions for certification of  
13 compensation and expenses for court appointed trial  
14 counsel as provided under Sections 10 and 15 of the  
15 Capital Crimes Litigation Act (repealed). This subsection  
16 (n) shall apply until the conclusion of the trial of the  
17 case, even if the prosecution chooses not to pursue the  
18 death penalty prior to trial or sentencing.

19 (o) Information that is prohibited from being  
20 disclosed under Section 4 of the Illinois Health and  
21 Hazardous Substances Registry Act.

22 (p) Security portions of system safety program plans,  
23 investigation reports, surveys, schedules, lists, data, or  
24 information compiled, collected, or prepared by or for the  
25 Department of Transportation under Sections 2705-300 and  
26 2705-616 of the Department of Transportation Law of the

1 Civil Administrative Code of Illinois, the Regional  
2 Transportation Authority under Section 2.11 of the  
3 Regional Transportation Authority Act, or the St. Clair  
4 County Transit District under the Bi-State Transit Safety  
5 Act (repealed).

6 (q) Information prohibited from being disclosed by the  
7 Personnel Record Review Act.

8 (r) Information prohibited from being disclosed by the  
9 Illinois School Student Records Act.

10 (s) Information the disclosure of which is restricted  
11 under Section 5-108 of the Public Utilities Act.

12 (t) (Blank).

13 (u) Records and information provided to an independent  
14 team of experts under the Developmental Disability and  
15 Mental Health Safety Act (also known as Brian's Law).

16 (v) Names and information of people who have applied  
17 for or received Firearm Owner's Identification Cards under  
18 the Firearm Owners Identification Card Act or applied for  
19 or received a concealed carry license under the Firearm  
20 Concealed Carry Act, unless otherwise authorized by the  
21 Firearm Concealed Carry Act; and databases under the  
22 Firearm Concealed Carry Act, records of the Concealed  
23 Carry Licensing Review Board under the Firearm Concealed  
24 Carry Act, and law enforcement agency objections under the  
25 Firearm Concealed Carry Act.

26 (v-5) Records of the Firearm Owner's Identification

1 Card Review Board that are exempted from disclosure under  
2 Section 10 of the Firearm Owners Identification Card Act.

3 (w) Personally identifiable information which is  
4 exempted from disclosure under subsection (g) of Section  
5 19.1 of the Toll Highway Act.

6 (x) Information which is exempted from disclosure  
7 under Section 5-1014.3 of the Counties Code or Section  
8 8-11-21 of the Illinois Municipal Code.

9 (y) Confidential information under the Adult  
10 Protective Services Act and its predecessor enabling  
11 statute, the Elder Abuse and Neglect Act, including  
12 information about the identity and administrative finding  
13 against any caregiver of a verified and substantiated  
14 decision of abuse, neglect, or financial exploitation of  
15 an eligible adult maintained in the Registry established  
16 under Section 7.5 of the Adult Protective Services Act.

17 (z) Records and information provided to a fatality  
18 review team or the Illinois Fatality Review Team Advisory  
19 Council under Section 15 of the Adult Protective Services  
20 Act.

21 (aa) Information which is exempted from disclosure  
22 under Section 2.37 of the Wildlife Code.

23 (bb) Information which is or was prohibited from  
24 disclosure by the Juvenile Court Act of 1987.

25 (cc) Recordings or portions of recordings ~~made~~ under  
26 the Law Enforcement Officer-Worn Body Camera Act, except

1 to the extent authorized under that Act.

2 (dd) Information that is prohibited from being  
3 disclosed under Section 45 of the Condominium and Common  
4 Interest Community Ombudsperson Act.

5 (ee) Information that is exempted from disclosure  
6 under Section 30.1 of the Pharmacy Practice Act.

7 (ff) Information that is exempted from disclosure  
8 under the Revised Uniform Unclaimed Property Act.

9 (gg) Information that is prohibited from being  
10 disclosed under Section 7-603.5 of the Illinois Vehicle  
11 Code.

12 (hh) Records that are exempt from disclosure under  
13 Section 1A-16.7 of the Election Code.

14 (ii) Information which is exempted from disclosure  
15 under Section 2505-800 of the Department of Revenue Law of  
16 the Civil Administrative Code of Illinois.

17 (jj) Information and reports that are required to be  
18 submitted to the Department of Labor by registering day  
19 and temporary labor service agencies but are exempt from  
20 disclosure under subsection (a-1) of Section 45 of the Day  
21 and Temporary Labor Services Act.

22 (kk) Information prohibited from disclosure under the  
23 Seizure and Forfeiture Reporting Act.

24 (ll) Information the disclosure of which is restricted  
25 and exempted under Section 5-30.8 of the Illinois Public  
26 Aid Code.

1 (mm) Records that are exempt from disclosure under  
2 Section 4.2 of the Crime Victims Compensation Act.

3 (nn) Information that is exempt from disclosure under  
4 Section 70 of the Higher Education Student Assistance Act.

5 (oo) Communications, notes, records, and reports  
6 arising out of a peer support counseling session  
7 prohibited from disclosure under the First Responders  
8 Suicide Prevention Act.

9 (pp) Names and all identifying information relating to  
10 an employee of an emergency services provider or law  
11 enforcement agency under the First Responders Suicide  
12 Prevention Act.

13 (qq) Information and records held by the Department of  
14 Public Health and its authorized representatives collected  
15 under the Reproductive Health Act.

16 (rr) Information that is exempt from disclosure under  
17 the Cannabis Regulation and Tax Act.

18 (ss) Data reported by an employer to the Department of  
19 Human Rights pursuant to Section 2-108 of the Illinois  
20 Human Rights Act.

21 (tt) Recordings made under the Children's Advocacy  
22 Center Act, except to the extent authorized under that  
23 Act.

24 (uu) Information that is exempt from disclosure under  
25 Section 50 of the Sexual Assault Evidence Submission Act.

26 (vv) Information that is exempt from disclosure under



1 subsections (f) and (j) of Section 5-36 of the Illinois  
2 Public Aid Code.

3 (ww) Information that is exempt from disclosure under  
4 Section 16.8 of the State Treasurer Act.

5 (xx) Information that is exempt from disclosure or  
6 information that shall not be made public under the  
7 Illinois Insurance Code.

8 (yy) Information prohibited from being disclosed under  
9 the Illinois Educational Labor Relations Act.

10 (zz) Information prohibited from being disclosed under  
11 the Illinois Public Labor Relations Act.

12 (aaa) Information prohibited from being disclosed  
13 under Section 1-167 of the Illinois Pension Code.

14 (bbb) Information that is prohibited from disclosure  
15 by the Illinois Police Training Act and the Illinois State  
16 Police Act.

17 (ccc) Records exempt from disclosure under Section  
18 2605-304 of the Illinois State Police Law of the Civil  
19 Administrative Code of Illinois.

20 (ddd) Information prohibited from being disclosed  
21 under Section 35 of the Address Confidentiality for  
22 Victims of Domestic Violence, Sexual Assault, Human  
23 Trafficking, or Stalking Act.

24 (eee) Information prohibited from being disclosed  
25 under subsection (b) of Section 75 of the Domestic  
26 Violence Fatality Review Act.

1           (fff) Images from cameras under the Expressway Camera  
2 Act. This subsection (fff) is inoperative on and after  
3 July 1, 2025.

4           (ggg) Information prohibited from disclosure under  
5 paragraph (3) of subsection (a) of Section 14 of the Nurse  
6 Agency Licensing Act.

7           (hhh) Information submitted to the Illinois State  
8 Police in an affidavit or application for an assault  
9 weapon endorsement, assault weapon attachment endorsement,  
10 .50 caliber rifle endorsement, or .50 caliber cartridge  
11 endorsement under the Firearm Owners Identification Card  
12 Act.

13           (iii) Data exempt from disclosure under Section 50 of  
14 the School Safety Drill Act.

15           (jjj) Information exempt from disclosure under Section  
16 30 of the Insurance Data Security Law.

17           (kkk) Confidential business information prohibited  
18 from disclosure under Section 45 of the Paint Stewardship  
19 Act.

20           (lll) Data exempt from disclosure under Section  
21 2-3.196 of the School Code.

22           (mmm) Information prohibited from being disclosed  
23 under subsection (e) of Section 1-129 of the Illinois  
24 Power Agency Act.

25           (nnn) Materials received by the Department of Commerce  
26 and Economic Opportunity that are confidential under the

1 Music and Musicians Tax Credit and Jobs Act.

2 (ooo) ~~(nnn)~~ Data or information provided pursuant to  
3 Section 20 of the Statewide Recycling Needs and Assessment  
4 Act.

5 (ppp) ~~(nnn)~~ Information that is exempt from disclosure  
6 under Section 28-11 of the Lawful Health Care Activity  
7 Act.

8 (qqq) ~~(nnn)~~ Information that is exempt from disclosure  
9 under Section 7-101 of the Illinois Human Rights Act.

10 (rrr) ~~(nnn)~~ Information prohibited from being  
11 disclosed under Section 4-2 of the Uniform Money  
12 Transmission Modernization Act.

13 (sss) ~~(nnn)~~ Information exempt from disclosure under  
14 Section 40 of the Student-Athlete Endorsement Rights Act.

15 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
16 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
17 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
18 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
19 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
20 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;  
21 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.  
22 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,  
23 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;  
24 103-1049, eff. 8-9-24; revised 11-26-24.)

25 Section 10. The Law Enforcement Officer-Worn Body Camera

1 Act is amended by changing Sections 10-10, 10-15, and 10-20 as  
2 follows:

3 (50 ILCS 706/10-10)

4 Sec. 10-10. Definitions. As used in this Act:

5 "Badge" means an officer's department issued  
6 identification number associated with his or her position as a  
7 police officer with that department.

8 "Board" means the Illinois Law Enforcement Training  
9 Standards Board created by the Illinois Police Training Act.

10 "Business offense" means a petty offense for which the  
11 fine is in excess of \$1,000.

12 "Community caretaking function" means a task undertaken by  
13 a law enforcement officer in which the officer is performing  
14 an articulable act unrelated to the investigation of a crime.

15 "Community caretaking function" includes, but is not limited  
16 to, participating in town halls or other community outreach,  
17 helping a child find his or her parents, providing death  
18 notifications, and performing in-home or hospital well-being  
19 checks on the sick, elderly, or persons presumed missing.

20 "Community caretaking function" excludes law  
21 enforcement-related encounters or activities.

22 "Fund" means the Law Enforcement Camera Grant Fund.

23 "In uniform" means a law enforcement officer who is  
24 wearing any officially authorized uniform designated by a law  
25 enforcement agency, or a law enforcement officer who is

1 visibly wearing articles of clothing, a badge, tactical gear,  
2 gun belt, a patch, or other insignia that he or she is a law  
3 enforcement officer acting in the course of his or her duties.  
4 A law enforcement officer is "in uniform" only when primarily  
5 assigned to respond to law enforcement-related encounters or  
6 activities and is not "in uniform" when primarily assigned to  
7 other law enforcement duties that are not law  
8 enforcement-related encounters or activities.

9 "Law enforcement officer" or "officer" means any person  
10 employed by a State, county, municipality, special district,  
11 college, unit of government, or any other entity authorized by  
12 law to employ peace officers or exercise police authority and  
13 who is primarily responsible for the prevention or detection  
14 of crime and the enforcement of the laws of this State.

15 "Law enforcement agency" means all State agencies with law  
16 enforcement officers, county sheriff's offices, municipal,  
17 special district, college, or unit of local government police  
18 departments.

19 "Law enforcement-related encounters or activities"  
20 include, but are not limited to, traffic stops, pedestrian  
21 stops, arrests, searches, interrogations, investigations,  
22 pursuits, crowd control, traffic control, non-community  
23 caretaking interactions with an individual while on patrol, or  
24 any other instance in which the officer is enforcing the laws  
25 of the municipality, county, or State. "Law  
26 enforcement-related encounter or activities" does not include

1 when the officer is completing paperwork alone, is  
2 participating in training in a classroom setting, or is only  
3 in the presence of another law enforcement officer.

4 "Minor traffic offense" means a petty offense, business  
5 offense, or Class C misdemeanor under the Illinois Vehicle  
6 Code or a similar provision of a municipal or local ordinance.

7 "No expectation of privacy" means when a person is in a  
8 publicly accessible area or when a person is engaging with law  
9 enforcement officers during the scope of an officer's official  
10 duties, even when the engagement is in a private residence  
11 when officers are lawfully present in the residence during the  
12 course of official duties.

13 "Officer-worn body camera" means an electronic camera  
14 system for creating, generating, sending, receiving, storing,  
15 displaying, and processing audiovisual recordings that may be  
16 worn about the person of a law enforcement officer.

17 "Peace officer" has the meaning provided in Section 2-13  
18 of the Criminal Code of 2012.

19 "Petty offense" means any offense for which a sentence of  
20 imprisonment is not an authorized disposition.

21 "Recording" means the process of capturing data or  
22 information stored on a recording medium as required under  
23 this Act.

24 "Recording medium" means any recording medium authorized  
25 by the Board for the retention and playback of recorded audio  
26 and video including, but not limited to, VHS, DVD, hard drive,

1 cloud storage, solid state, digital, flash memory technology,  
2 or any other electronic medium.

3 (Source: P.A. 102-1104, eff. 12-6-22.)

4 (50 ILCS 706/10-15)

5 Sec. 10-15. Applicability.

6 (a) All law enforcement agencies must employ the use of  
7 officer-worn body cameras in accordance with the provisions of  
8 this Act, whether or not the agency receives or has received  
9 monies from the Law Enforcement Camera Grant Fund.

10 (b) Except as provided in subsection (b-5), all law  
11 enforcement agencies must implement the use of body cameras  
12 for all law enforcement officers, according to the following  
13 schedule:

14 (1) for municipalities and counties with populations  
15 of 500,000 or more, body cameras shall be implemented by  
16 January 1, 2022;

17 (2) for municipalities and counties with populations  
18 of 100,000 or more but under 500,000, body cameras shall  
19 be implemented by January 1, 2023;

20 (3) for municipalities and counties with populations  
21 of 50,000 or more but under 100,000, body cameras shall be  
22 implemented by January 1, 2024;

23 (4) for municipalities and counties under 50,000, body  
24 cameras shall be implemented by January 1, 2025; and

25 (5) for all State agencies with law enforcement

1 officers and other remaining law enforcement agencies,  
2 body cameras shall be implemented by January 1, 2025.

3 (b-5) If a law enforcement agency that serves a  
4 municipality with a population of at least 100,000 but not  
5 more than 500,000 or a law enforcement agency that serves a  
6 county with a population of at least 100,000 but not more than  
7 500,000 has ordered by October 1, 2022 or purchased by that  
8 date officer-worn body cameras for use by the law enforcement  
9 agency, then the law enforcement agency may implement the use  
10 of body cameras for all of its law enforcement officers by no  
11 later than July 1, 2023. Records of purchase within this  
12 timeline shall be submitted to the Illinois Law Enforcement  
13 Training Standards Board by January 1, 2023.

14 (c) A law enforcement agency's compliance with the  
15 requirements under this Section shall receive preference by  
16 the Illinois Law Enforcement Training Standards Board in  
17 awarding grant funding under the Law Enforcement Camera Grant  
18 Act.

19 (d) This Section does not apply to court security  
20 officers, school resource officers, undercover or covert  
21 officers, officers that are employed in an administrative  
22 capacity, State's Attorney investigators, and Attorney General  
23 investigators. However, this Section applies to undercover or  
24 covert officers when conducting interviews.

25 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
26 102-1104, eff. 12-6-22.)



1 (50 ILCS 706/10-20)

2 Sec. 10-20. Requirements.

3 (a) The Board shall develop basic guidelines for the use  
4 of officer-worn body cameras by law enforcement agencies. The  
5 guidelines developed by the Board shall be the basis for the  
6 written policy which must be adopted by each law enforcement  
7 agency which employs the use of officer-worn body cameras. The  
8 written policy adopted by the law enforcement agency must  
9 include, at a minimum, all of the following:

10 (1) Cameras must be equipped with pre-event recording,  
11 capable of recording at least the 30 seconds prior to  
12 camera activation, unless the officer-worn body camera was  
13 purchased and acquired by the law enforcement agency prior  
14 to July 1, 2015.

15 (2) Cameras must be capable of recording for a period  
16 of 10 hours or more, unless the officer-worn body camera  
17 was purchased and acquired by the law enforcement agency  
18 prior to July 1, 2015.

19 (3) Cameras must be turned on at all times when the  
20 officer is in uniform and is responding to calls for  
21 service or engaged in any law enforcement-related  
22 encounter or activity that occurs while the officer is on  
23 duty.

24 (A) If exigent circumstances exist which prevent  
25 the camera from being turned on, the camera must be

1           turned on as soon as practicable.

2           (B) Officer-worn body cameras may be turned off  
3           when the officer is inside of a patrol car which is  
4           equipped with a functioning in-car camera; however,  
5           the officer must turn on the camera upon exiting the  
6           patrol vehicle for law enforcement-related encounters.

7           (C) Officer-worn body cameras may be turned off  
8           when the officer is inside a correctional facility or  
9           courthouse which is equipped with a functioning camera  
10          system.

11          (4) Cameras must be turned off when:

12           (A) the victim of a crime requests that the camera  
13           be turned off, and unless impractical or impossible,  
14           that request is made on the recording;

15           (B) a witness of a crime or a community member who  
16           wishes to report a crime requests that the camera be  
17           turned off, and unless impractical or impossible that  
18           request is made on the recording;

19           (C) the officer is interacting with a confidential  
20           informant used by the law enforcement agency; or

21           (D) an officer of the Department of Revenue enters  
22           a Department of Revenue facility or conducts an  
23           interview during which return information will be  
24           discussed or visible.

25          However, an officer may continue to record or resume  
26          recording a victim or a witness, if exigent circumstances

1 exist, or if the officer has reasonable articulable  
2 suspicion that a victim or witness, or confidential  
3 informant has committed or is in the process of committing  
4 a crime. Under these circumstances, and unless impractical  
5 or impossible, the officer must indicate on the recording  
6 the reason for continuing to record despite the request of  
7 the victim or witness.

8 (4.5) Cameras may be turned off when the officer is  
9 engaged in community caretaking functions. However, the  
10 camera must be turned on when the officer has reason to  
11 believe that the person on whose behalf the officer is  
12 performing a community caretaking function has committed  
13 or is in the process of committing a crime. If exigent  
14 circumstances exist which prevent the camera from being  
15 turned on, the camera must be turned on as soon as  
16 practicable.

17 (5) Before January 1, 2027, an ~~The~~ officer must  
18 provide notice of recording to any person if the person  
19 has a reasonable expectation of privacy. Proof ~~and proof~~  
20 of notice must be evident in the recording. If exigent  
21 circumstances exist which prevent the officer from  
22 providing notice, notice must be provided as soon as  
23 practicable.

24 (6) (A) For the purposes of redaction or duplicating  
25 recordings, access to camera recordings shall be  
26 restricted to only those personnel responsible for those

1 purposes. The recording officer or his or her supervisor  
2 may not redact, duplicate, or otherwise alter the  
3 recording officer's camera recordings. Except as otherwise  
4 provided in this Section, the recording officer and his or  
5 her supervisor may access and review recordings prior to  
6 completing incident reports or other documentation,  
7 provided that the supervisor discloses that fact in the  
8 report or documentation.

9 ~~(i) A law enforcement officer shall not have~~  
10 ~~access to or review his or her body worn camera~~  
11 ~~recordings or the body worn camera recordings of~~  
12 ~~another officer prior to completing incident reports~~  
13 ~~or other documentation when the officer:~~

14 ~~(a) has been involved in or is a witness to an~~  
15 ~~officer involved shooting, use of deadly force~~  
16 ~~incident, or use of force incidents resulting in~~  
17 ~~great bodily harm;~~

18 ~~(b) is ordered to write a report in response~~  
19 ~~to or during the investigation of a misconduct~~  
20 ~~complaint against the officer.~~

21 ~~(ii) If the officer subject to subparagraph (i)~~  
22 ~~prepares a report, any report shall be prepared~~  
23 ~~without viewing body worn camera recordings, and~~  
24 ~~subject to supervisor's approval, officers may file~~  
25 ~~amendatory reports after viewing body worn camera~~  
26 ~~recordings. Supplemental reports under this provision~~

1 ~~shall also contain documentation regarding access to~~  
2 ~~the video footage.~~

3 (B) The recording officer's assigned field  
4 training officer may access and review recordings for  
5 training purposes. Any detective or investigator  
6 directly involved in the investigation of a matter may  
7 access and review recordings which pertain to that  
8 investigation but may not have access to delete or  
9 alter such recordings.

10 (7) Recordings made on officer-worn cameras must be  
11 retained by the law enforcement agency or by the camera  
12 vendor used by the agency, on a recording medium for a  
13 period of 90 days.

14 (A) Under no circumstances shall any recording,  
15 except for a non-law enforcement related activity or  
16 encounter, made with an officer-worn body camera be  
17 altered, erased, or destroyed prior to the expiration  
18 of the 90-day storage period. In the event any  
19 recording made with an officer-worn body camera is  
20 altered, erased, or destroyed prior to the expiration  
21 of the 90-day storage period, the law enforcement  
22 agency shall maintain, for a period of one year, a  
23 written record including (i) the name of the  
24 individual who made such alteration, erasure, or  
25 destruction, and (ii) the reason for any such  
26 alteration, erasure, or destruction.

1 (B) Following the 90-day storage period, any and  
2 all recordings made with an officer-worn body camera  
3 must be destroyed, unless any encounter captured on  
4 the recording has been flagged. An encounter is deemed  
5 to be flagged when:

6 (i) a formal investigation or informal  
7 inquiry, as those terms are defined in Section 2  
8 of the Uniform Peace Officers' Disciplinary Act,  
9 has commenced ~~complaint has been filed;~~

10 (ii) the officer discharged his or her firearm  
11 or used force during the encounter;

12 (iii) death or great bodily harm occurred to  
13 any person in the recording;

14 (iv) the encounter resulted in a detention or  
15 an arrest, excluding traffic stops which resulted  
16 in only a minor traffic offense or business  
17 offense;

18 (v) the officer is the subject of an internal  
19 investigation or otherwise being investigated for  
20 possible misconduct;

21 (vi) the supervisor of the officer,  
22 prosecutor, defendant, or court determines that  
23 the encounter has evidentiary value in a criminal  
24 prosecution; or

25 (vii) the recording officer requests that the  
26 video be flagged for official purposes related to

1           his or her official duties or believes it may have  
2           evidentiary value in a criminal prosecution.

3           (C) Under no circumstances shall any recording  
4           made with an officer-worn body camera relating to a  
5           flagged encounter be altered or destroyed prior to 2  
6           years after the recording was flagged. If the flagged  
7           recording was used in a criminal, civil, or  
8           administrative proceeding, the recording shall not be  
9           destroyed except upon a final disposition and order  
10          from the court.

11          (D) Nothing in this Act prohibits law enforcement  
12          agencies from labeling officer-worn body camera video  
13          within the recording medium; provided that the  
14          labeling does not alter the actual recording of the  
15          incident captured on the officer-worn body camera. The  
16          labels, titles, and tags shall not be construed as  
17          altering the officer-worn body camera video in any  
18          way.

19          (8) Following the 90-day storage period, recordings  
20          may be retained if a supervisor at the law enforcement  
21          agency designates the recording for training purposes. If  
22          the recording is designated for training purposes, the  
23          recordings may be viewed by officers, in the presence of a  
24          supervisor or training instructor, for the purposes of  
25          instruction, training, or ensuring compliance with agency  
26          policies.

1           (9) Recordings shall not be used to discipline law  
2 enforcement officers unless:

3               (A) a formal investigation or informal inquiry, as  
4 those terms are defined in Section 2 of the Uniform  
5 Peace Officers' Disciplinary Act, has commenced a  
6 ~~formal or informal complaint of misconduct has been~~  
7 ~~made;~~

8               (B) a use of force incident has occurred;

9               (C) the encounter on the recording could result in  
10 a formal investigation under the Uniform Peace  
11 Officers' Disciplinary Act; or

12              (D) as corroboration of other evidence of  
13 misconduct.

14           Nothing in this paragraph (9) shall be construed to  
15 limit or prohibit a law enforcement officer from being  
16 subject to an action that does not amount to discipline.

17           (10) The law enforcement agency shall ensure proper  
18 care and maintenance of officer-worn body cameras. Upon  
19 becoming aware, officers must as soon as practical  
20 document and notify the appropriate supervisor of any  
21 technical difficulties, failures, or problems with the  
22 officer-worn body camera or associated equipment. Upon  
23 receiving notice, the appropriate supervisor shall make  
24 every reasonable effort to correct and repair any of the  
25 officer-worn body camera equipment.

26           (11) No officer may hinder or prohibit any person, not



1 a law enforcement officer, from recording a law  
2 enforcement officer in the performance of his or her  
3 duties in a public place or when the officer has no  
4 reasonable expectation of privacy. The law enforcement  
5 agency's written policy shall indicate the potential  
6 criminal penalties, as well as any departmental  
7 discipline, which may result from unlawful confiscation or  
8 destruction of the recording medium of a person who is not  
9 a law enforcement officer. However, an officer may take  
10 reasonable action to maintain safety and control, secure  
11 crime scenes and accident sites, protect the integrity and  
12 confidentiality of investigations, and protect the public  
13 safety and order.

14 (b) Recordings made with the use of an officer-worn body  
15 camera are not subject to disclosure under the Freedom of  
16 Information Act, except when a recording is flagged due to the  
17 filing of a complaint, discharge of a firearm, use of force,  
18 arrest or detention, or resulting death or bodily harm, and  
19 the subject of the encounter has a reasonable expectation of  
20 privacy at the time of the recording. A recording subject to  
21 disclosure under this subsection may be only released to the  
22 subject of the encounter captured on the recording or the  
23 subject's legal representative if the law enforcement agency  
24 obtains written permission of the subject or the subject's  
25 legal representative. Any disclosure under this subsection (b)  
26 shall be limited to the portion of the recording containing

1 the subject of the encounter captured by the primary officer's  
2 body-worn camera. that:

3 ~~(1) if the subject of the encounter has a reasonable~~  
4 ~~expectation of privacy, at the time of the recording, any~~  
5 ~~recording which is flagged, due to the filing of a~~  
6 ~~complaint, discharge of a firearm, use of force, arrest or~~  
7 ~~detention, or resulting death or bodily harm, shall be~~  
8 ~~disclosed in accordance with the Freedom of Information~~  
9 ~~Act if:~~

10 ~~(A) the subject of the encounter captured on the~~  
11 ~~recording is a victim or witness; and~~

12 ~~(B) the law enforcement agency obtains written~~  
13 ~~permission of the subject or the subject's legal~~  
14 ~~representative;~~

15 ~~(2) except as provided in paragraph (1) of this~~  
16 ~~subsection (b), any recording which is flagged due to the~~  
17 ~~filing of a complaint, discharge of a firearm, use of~~  
18 ~~force, arrest or detention, or resulting death or bodily~~  
19 ~~harm shall be disclosed in accordance with the Freedom of~~  
20 ~~Information Act; and~~

21 ~~(3) upon request, the law enforcement agency shall~~  
22 ~~disclose, in accordance with the Freedom of Information~~  
23 ~~Act, the recording to the subject of the encounter~~  
24 ~~captured on the recording or to the subject's attorney, or~~  
25 ~~the officer or his or her legal representative.~~

26 For the purposes of ~~paragraph (1) of this subsection (b),~~

1 ~~no person shall the subject of the encounter does not~~ have a  
2 reasonable expectation of privacy if the person the subject  
3 was arrested as a result of the encounter or if the encounter  
4 was captured in a publicly accessible area. ~~For purposes of~~  
5 ~~subparagraph (A) of paragraph (1) of this subsection (b),~~  
6 ~~"witness" does not include a person who is a victim or who was~~  
7 ~~arrested as a result of the encounter.~~

8 Only recordings or portions of recordings responsive to  
9 the request shall be available for inspection or reproduction.  
10 Any recording disclosed under the Freedom of Information Act  
11 shall be redacted to remove identification of any person that  
12 appears on the recording and is not the officer, a subject of  
13 the encounter, or directly involved in the encounter if they  
14 are readily identifiable and have an expectation of privacy.  
15 Nothing in this subsection (b) shall require the disclosure of  
16 any recording or portion of any recording which would be  
17 exempt from disclosure under the Freedom of Information Act.

18 (c) Nothing in this Section shall limit access to an  
19 officer-worn body ~~a~~ camera recording for the purposes of  
20 complying with Supreme Court rules or the rules of evidence.

21 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
22 102-687, eff. 12-17-21; 102-694, eff. 1-7-22; 102-1104, eff.  
23 12-6-22.)

24 Section 15. The Law Enforcement Camera Grant Act is  
25 amended by changing Sections 15 and 20 as follows:

1 (50 ILCS 707/15)

2 Sec. 15. Rules; in-car video camera grants.

3 (a) The Board shall develop model rules for the use of  
4 in-car video cameras to be adopted by law enforcement agencies  
5 that receive grants under Section 10 of this Act. The rules  
6 shall include all of the following requirements:

7 (1) Cameras must be installed in the law enforcement  
8 agency vehicles.

9 (2) Video recording must provide audio of the officer  
10 when the officer is outside of the vehicle.

11 (3) Camera access must be restricted to the  
12 supervisors of the officer in the vehicle.

13 (4) Cameras must be turned on continuously throughout  
14 the officer's shift.

15 (5) A copy of the video record must be made available  
16 upon request to personnel of the law enforcement agency,  
17 the local State's Attorney, and any persons depicted in  
18 the video. Procedures for distribution of the video record  
19 must include safeguards to protect the identities of  
20 individuals who are not a party to the requested stop.

21 (6) Law enforcement agencies that receive moneys under  
22 this grant shall provide for storage of the video records  
23 for a period of not less than 2 years.

24 (b) Each law enforcement agency receiving a grant for  
25 in-car video cameras under Section 10 of this Act must provide

1 an annual report to the Board, the Governor, and the General  
2 Assembly on or before May 1 of the year following the receipt  
3 of the grant and by each May 1 thereafter during the period of  
4 the grant. The report shall include the following:

5 (1) the number of cameras received by the law  
6 enforcement agency;

7 (2) the number of cameras actually installed in law  
8 enforcement agency vehicles;

9 (3) a brief description of the review process used by  
10 supervisors within the law enforcement agency;

11 (4) (blank); and ~~a list of any criminal, traffic,~~  
12 ~~ordinance, and civil cases in which in-car video~~  
13 ~~recordings were used, including party names, case numbers,~~  
14 ~~offenses charged, and disposition of the matter.~~  
15 ~~Proceedings to which this paragraph (4) applies include,~~  
16 ~~but are not limited to, court proceedings, coroner's~~  
17 ~~inquests, grand jury proceedings, and plea bargains; and~~

18 (5) any other information relevant to the  
19 administration of the program.

20 (Source: P.A. 99-352, eff. 1-1-16.)

21 (50 ILCS 707/20)

22 Sec. 20. Rules; officer body-worn camera grants.

23 (a) The Board shall develop model rules for the use of  
24 officer body-worn cameras to be adopted by law enforcement  
25 agencies that receive grants under Section 10 of this Act. The

1 rules shall comply with the Law Enforcement Officer-Worn Body  
2 Camera Act.

3 (b) Each law enforcement agency receiving a grant for  
4 officer-worn body cameras under Section 10 of this Act must  
5 provide an annual report to the Board, the Governor, and the  
6 General Assembly on or before May 1 of the year following the  
7 receipt of the grant and by each May 1 thereafter during the  
8 period of the grant. The report shall include:

9 (1) a brief overview of the makeup of the agency,  
10 including the number of officers utilizing officer-worn  
11 body cameras;

12 (2) the number of officer-worn body cameras utilized  
13 by the law enforcement agency;

14 (3) any technical issues with the equipment and how  
15 those issues were remedied;

16 (4) a brief description of the review process used by  
17 supervisors within the law enforcement agency;

18 (5) (blank); ~~for each recording used in prosecutions~~  
19 ~~of conservation, criminal, or traffic offenses or~~  
20 ~~municipal ordinance violations;~~

21 ~~(A) the time, date, and location of the incident;~~  
22 ~~and~~

23 ~~(B) the offenses charged and the date charges were~~  
24 ~~filed;~~

25 (6) (blank); ~~and for a recording used in a civil~~  
26 ~~proceeding or internal affairs investigation;~~

~~(A) the number of pending civil proceedings and internal investigations;~~

~~(B) in resolved civil proceedings and pending investigations;~~

~~(i) the nature of the complaint or allegations;~~

~~(ii) the disposition, if known; and~~

~~(iii) the date, time and location of the incident; and~~

(7) any other information relevant to the administration of the program.

(c) On or before July 30 of each year, the Board must analyze the law enforcement agency reports and provide an annual report to the General Assembly and the Governor.

(Source: P.A. 99-352, eff. 1-1-16.)

Section 20. The Criminal Code of 2012 is amended by changing Sections 14-3 and 31-4 as follows:

(720 ILCS 5/14-3)

Sec. 14-3. Exemptions. The following activities shall be exempt from the provisions of this Article:

(a) Listening to radio, wireless electronic communications, and television communications of any sort where the same are publicly made;

(b) Hearing conversation when heard by employees of

1 any common carrier by wire incidental to the normal course  
2 of their employment in the operation, maintenance or  
3 repair of the equipment of such common carrier by wire so  
4 long as no information obtained thereby is used or  
5 divulged by the hearer;

6 (c) Any broadcast by radio, television or otherwise  
7 whether it be a broadcast or recorded for the purpose of  
8 later broadcasts of any function where the public is in  
9 attendance and the conversations are overheard incidental  
10 to the main purpose for which such broadcasts are then  
11 being made;

12 (d) Recording or listening with the aid of any device  
13 to any emergency communication made in the normal course  
14 of operations by any federal, state or local law  
15 enforcement agency or institutions dealing in emergency  
16 services, including, but not limited to, hospitals,  
17 clinics, ambulance services, fire fighting agencies, any  
18 public utility, emergency repair facility, civilian  
19 defense establishment or military installation;

20 (e) Recording the proceedings of any meeting required  
21 to be open by the Open Meetings Act, as amended;

22 (f) Recording or listening with the aid of any device  
23 to incoming telephone calls of phone lines publicly listed  
24 or advertised as consumer "hotlines" by manufacturers or  
25 retailers of food and drug products. Such recordings must  
26 be destroyed, erased or turned over to local law



1 enforcement authorities within 24 hours from the time of  
2 such recording and shall not be otherwise disseminated.  
3 Failure on the part of the individual or business  
4 operating any such recording or listening device to comply  
5 with the requirements of this subsection shall eliminate  
6 any civil or criminal immunity conferred upon that  
7 individual or business by the operation of this Section;

8 (g) With prior notification to the State's Attorney of  
9 the county in which it is to occur, recording or listening  
10 with the aid of any device to any conversation where a law  
11 enforcement officer, or any person acting at the direction  
12 of law enforcement, is a party to the conversation and has  
13 consented to it being intercepted or recorded under  
14 circumstances where the use of the device is necessary for  
15 the protection of the law enforcement officer or any  
16 person acting at the direction of law enforcement, in the  
17 course of an investigation of a forcible felony, a felony  
18 offense of involuntary servitude, involuntary sexual  
19 servitude of a minor, or trafficking in persons under  
20 Section 10-9 of this Code, an offense involving  
21 prostitution, solicitation of a sexual act, or pandering,  
22 a felony violation of the Illinois Controlled Substances  
23 Act, a felony violation of the Cannabis Control Act, a  
24 felony violation of the Methamphetamine Control and  
25 Community Protection Act, any "streetgang related" or  
26 "gang-related" felony as those terms are defined in the

1 Illinois Streetgang Terrorism Omnibus Prevention Act, or  
2 any felony offense involving any weapon listed in  
3 paragraphs (1) through (11) of subsection (a) of Section  
4 24-1 of this Code. Any recording or evidence derived as  
5 the result of this exemption shall be inadmissible in any  
6 proceeding, criminal, civil or administrative, except (i)  
7 where a party to the conversation suffers great bodily  
8 injury or is killed during such conversation, or (ii) when  
9 used as direct impeachment of a witness concerning matters  
10 contained in the interception or recording. The Director  
11 of the Illinois State Police shall issue regulations as  
12 are necessary concerning the use of devices, retention of  
13 tape recordings, and reports regarding their use;

14 (g-5) (Blank);

15 (g-6) With approval of the State's Attorney of the  
16 county in which it is to occur, recording or listening  
17 with the aid of any device to any conversation where a law  
18 enforcement officer, or any person acting at the direction  
19 of law enforcement, is a party to the conversation and has  
20 consented to it being intercepted or recorded in the  
21 course of an investigation of child pornography,  
22 aggravated child pornography, indecent solicitation of a  
23 child, luring of a minor, sexual exploitation of a child,  
24 aggravated criminal sexual abuse in which the victim of  
25 the offense was at the time of the commission of the  
26 offense under 18 years of age, or criminal sexual abuse by

1 force or threat of force in which the victim of the offense  
2 was at the time of the commission of the offense under 18  
3 years of age. In all such cases, an application for an  
4 order approving the previous or continuing use of an  
5 eavesdropping device must be made within 48 hours of the  
6 commencement of such use. In the absence of such an order,  
7 or upon its denial, any continuing use shall immediately  
8 terminate. The Director of the Illinois State Police shall  
9 issue rules as are necessary concerning the use of  
10 devices, retention of recordings, and reports regarding  
11 their use. Any recording or evidence obtained or derived  
12 in the course of an investigation of child pornography,  
13 aggravated child pornography, indecent solicitation of a  
14 child, luring of a minor, sexual exploitation of a child,  
15 aggravated criminal sexual abuse in which the victim of  
16 the offense was at the time of the commission of the  
17 offense under 18 years of age, or criminal sexual abuse by  
18 force or threat of force in which the victim of the offense  
19 was at the time of the commission of the offense under 18  
20 years of age shall, upon motion of the State's Attorney or  
21 Attorney General prosecuting any case involving child  
22 pornography, aggravated child pornography, indecent  
23 solicitation of a child, luring of a minor, sexual  
24 exploitation of a child, aggravated criminal sexual abuse  
25 in which the victim of the offense was at the time of the  
26 commission of the offense under 18 years of age, or

1 criminal sexual abuse by force or threat of force in which  
2 the victim of the offense was at the time of the commission  
3 of the offense under 18 years of age be reviewed in camera  
4 with notice to all parties present by the court presiding  
5 over the criminal case, and, if ruled by the court to be  
6 relevant and otherwise admissible, it shall be admissible  
7 at the trial of the criminal case. Absent such a ruling,  
8 any such recording or evidence shall not be admissible at  
9 the trial of the criminal case;

10 (h) Recordings made simultaneously with the use of an  
11 in-car video camera recording of an oral conversation  
12 between a uniformed peace officer, who has identified his  
13 or her office, and a person in the presence of the peace  
14 officer whenever (i) an officer assigned a patrol vehicle  
15 is conducting an enforcement stop; or (ii) patrol vehicle  
16 emergency lights are activated or would otherwise be  
17 activated if not for the need to conceal the presence of  
18 law enforcement.

19 For the purposes of this subsection (h), "enforcement  
20 stop" means an action by a law enforcement officer in  
21 relation to enforcement and investigation duties,  
22 including but not limited to, traffic stops, pedestrian  
23 stops, abandoned vehicle contacts, motorist assists,  
24 commercial motor vehicle stops, roadside safety checks,  
25 requests for identification, or responses to requests for  
26 emergency assistance;

1           (h-5) Recordings of utterances made by a person while  
2           in the presence of a uniformed peace officer and while an  
3           occupant of a police vehicle including, but not limited  
4           to, (i) recordings made simultaneously with the use of an  
5           in-car video camera and (ii) recordings made in the  
6           presence of the peace officer utilizing video or audio  
7           systems, or both, authorized by the law enforcement  
8           agency;

9           (h-10) Recordings made simultaneously with a video  
10          camera recording during the use of a taser or similar  
11          weapon or device by a peace officer if the weapon or device  
12          is equipped with such camera;

13          (h-15) Recordings made under subsection (h), (h-5), or  
14          (h-10) shall be retained by the law enforcement agency  
15          that employs the peace officer who made the recordings for  
16          a storage period of 90 days, unless the recordings are  
17          made as a part of an arrest or the recordings are deemed  
18          evidence in any criminal, civil, or administrative  
19          proceeding and then the recordings must only be destroyed  
20          upon a final disposition and an order from the court.  
21          Under no circumstances shall any recording be altered or  
22          erased prior to the expiration of the designated storage  
23          period. Upon completion of the storage period, the  
24          recording medium may be erased and reissued for  
25          operational use;

26          (i) Recording of a conversation made by or at the

1 request of a person, not a law enforcement officer or  
2 agent of a law enforcement officer, who is a party to the  
3 conversation, under reasonable suspicion that another  
4 party to the conversation is committing, is about to  
5 commit, or has committed a criminal offense against the  
6 person or a member of his or her immediate household, and  
7 there is reason to believe that evidence of the criminal  
8 offense may be obtained by the recording;

9 (j) The use of a telephone monitoring device by either  
10 (1) a corporation or other business entity engaged in  
11 marketing or opinion research or (2) a corporation or  
12 other business entity engaged in telephone solicitation,  
13 as defined in this subsection, to record or listen to oral  
14 telephone solicitation conversations or marketing or  
15 opinion research conversations by an employee of the  
16 corporation or other business entity when:

17 (i) the monitoring is used for the purpose of  
18 service quality control of marketing or opinion  
19 research or telephone solicitation, the education or  
20 training of employees or contractors engaged in  
21 marketing or opinion research or telephone  
22 solicitation, or internal research related to  
23 marketing or opinion research or telephone  
24 solicitation; and

25 (ii) the monitoring is used with the consent of at  
26 least one person who is an active party to the

1 marketing or opinion research conversation or  
2 telephone solicitation conversation being monitored.

3 No communication or conversation or any part, portion,  
4 or aspect of the communication or conversation made,  
5 acquired, or obtained, directly or indirectly, under this  
6 exemption (j), may be, directly or indirectly, furnished  
7 to any law enforcement officer, agency, or official for  
8 any purpose or used in any inquiry or investigation, or  
9 used, directly or indirectly, in any administrative,  
10 judicial, or other proceeding, or divulged to any third  
11 party.

12 When recording or listening authorized by this  
13 subsection (j) on telephone lines used for marketing or  
14 opinion research or telephone solicitation purposes  
15 results in recording or listening to a conversation that  
16 does not relate to marketing or opinion research or  
17 telephone solicitation; the person recording or listening  
18 shall, immediately upon determining that the conversation  
19 does not relate to marketing or opinion research or  
20 telephone solicitation, terminate the recording or  
21 listening and destroy any such recording as soon as is  
22 practicable.

23 Business entities that use a telephone monitoring or  
24 telephone recording system pursuant to this exemption (j)  
25 shall provide current and prospective employees with  
26 notice that the monitoring or recordings may occur during

1 the course of their employment. The notice shall include  
2 prominent signage notification within the workplace.

3 Business entities that use a telephone monitoring or  
4 telephone recording system pursuant to this exemption (j)  
5 shall provide their employees or agents with access to  
6 personal-only telephone lines which may be pay telephones,  
7 that are not subject to telephone monitoring or telephone  
8 recording.

9 For the purposes of this subsection (j), "telephone  
10 solicitation" means a communication through the use of a  
11 telephone by live operators:

12 (i) soliciting the sale of goods or services;

13 (ii) receiving orders for the sale of goods or  
14 services;

15 (iii) assisting in the use of goods or services;

16 or

17 (iv) engaging in the solicitation, administration,  
18 or collection of bank or retail credit accounts.

19 For the purposes of this subsection (j), "marketing or  
20 opinion research" means a marketing or opinion research  
21 interview conducted by a live telephone interviewer  
22 engaged by a corporation or other business entity whose  
23 principal business is the design, conduct, and analysis of  
24 polls and surveys measuring the opinions, attitudes, and  
25 responses of respondents toward products and services, or  
26 social or political issues, or both;



1           (k) Electronic recordings, including but not limited  
2           to, a motion picture, videotape, digital, or other visual  
3           or audio recording, made of a custodial interrogation of  
4           an individual at a police station or other place of  
5           detention by a law enforcement officer under Section  
6           5-401.5 of the Juvenile Court Act of 1987 or Section  
7           103-2.1 of the Code of Criminal Procedure of 1963;

8           (1) Recording the interview or statement of any person  
9           when the person knows that the interview is being  
10          conducted by a law enforcement officer or prosecutor and  
11          the interview takes place at a police station that is  
12          currently participating in the Custodial Interview Pilot  
13          Program established under the Illinois Criminal Justice  
14          Information Act;

15          (m) An electronic recording, including but not limited  
16          to, a motion picture, videotape, digital, or other visual  
17          or audio recording, made of the interior of a school bus  
18          while the school bus is being used in the transportation  
19          of students to and from school and school-sponsored  
20          activities, when the school board has adopted a policy  
21          authorizing such recording, notice of such recording  
22          policy is included in student handbooks and other  
23          documents including the policies of the school, notice of  
24          the policy regarding recording is provided to parents of  
25          students, and notice of such recording is clearly posted  
26          on the door of and inside the school bus.

1           Recordings made pursuant to this subsection (m) shall  
2           be confidential records and may only be used by school  
3           officials (or their designees) and law enforcement  
4           personnel for investigations, school disciplinary actions  
5           and hearings, proceedings under the Juvenile Court Act of  
6           1987, and criminal prosecutions, related to incidents  
7           occurring in or around the school bus;

8           (n) Recording or listening to an audio transmission  
9           from a microphone placed by a person under the authority  
10          of a law enforcement agency inside a bait car surveillance  
11          vehicle while simultaneously capturing a photographic or  
12          video image;

13          (o) The use of an eavesdropping camera or audio device  
14          during an ongoing hostage or barricade situation by a law  
15          enforcement officer or individual acting on behalf of a  
16          law enforcement officer when the use of such device is  
17          necessary to protect the safety of the general public,  
18          hostages, or law enforcement officers or anyone acting on  
19          their behalf;

20          (p) Recording or listening with the aid of any device  
21          to incoming telephone calls of phone lines publicly listed  
22          or advertised as the "CPS Violence Prevention Hotline",  
23          but only where the notice of recording is given at the  
24          beginning of each call as required by Section 34-21.8 of  
25          the School Code. The recordings may be retained only by  
26          the Chicago Police Department or other law enforcement

1 authorities, and shall not be otherwise retained or  
2 disseminated;

3 (q)(1) With prior request to and written or verbal  
4 approval of the State's Attorney of the county in which  
5 the conversation is anticipated to occur, recording or  
6 listening with the aid of an eavesdropping device to a  
7 conversation in which a law enforcement officer, or any  
8 person acting at the direction of a law enforcement  
9 officer, is a party to the conversation and has consented  
10 to the conversation being intercepted or recorded in the  
11 course of an investigation of a qualified offense. The  
12 State's Attorney may grant this approval only after  
13 determining that reasonable cause exists to believe that  
14 inculpatory conversations concerning a qualified offense  
15 will occur with a specified individual or individuals  
16 within a designated period of time.

17 (2) Request for approval. To invoke the exception  
18 contained in this subsection (q), a law enforcement  
19 officer shall make a request for approval to the  
20 appropriate State's Attorney. The request may be written  
21 or verbal; however, a written memorialization of the  
22 request must be made by the State's Attorney. This request  
23 for approval shall include whatever information is deemed  
24 necessary by the State's Attorney but shall include, at a  
25 minimum, the following information about each specified  
26 individual whom the law enforcement officer believes will

1           commit a qualified offense:

2                   (A) his or her full or partial name, nickname or  
3           alias;

4                   (B) a physical description; or

5                   (C) failing either (A) or (B) of this paragraph  
6           (2), any other supporting information known to the law  
7           enforcement officer at the time of the request that  
8           gives rise to reasonable cause to believe that the  
9           specified individual will participate in an  
10          inculpatory conversation concerning a qualified  
11          offense.

12          (3) Limitations on approval. Each written approval by  
13          the State's Attorney under this subsection (q) shall be  
14          limited to:

15                  (A) a recording or interception conducted by a  
16                  specified law enforcement officer or person acting at  
17                  the direction of a law enforcement officer;

18                  (B) recording or intercepting conversations with  
19                  the individuals specified in the request for approval,  
20                  provided that the verbal approval shall be deemed to  
21                  include the recording or intercepting of conversations  
22                  with other individuals, unknown to the law enforcement  
23                  officer at the time of the request for approval, who  
24                  are acting in conjunction with or as co-conspirators  
25                  with the individuals specified in the request for  
26                  approval in the commission of a qualified offense;

1 (C) a reasonable period of time but in no event  
2 longer than 24 consecutive hours;

3 (D) the written request for approval, if  
4 applicable, or the written memorialization must be  
5 filed, along with the written approval, with the  
6 circuit clerk of the jurisdiction on the next business  
7 day following the expiration of the authorized period  
8 of time, and shall be subject to review by the Chief  
9 Judge or his or her designee as deemed appropriate by  
10 the court.

11 (3.5) The written memorialization of the request for  
12 approval and the written approval by the State's Attorney  
13 may be in any format, including via facsimile, email, or  
14 otherwise, so long as it is capable of being filed with the  
15 circuit clerk.

16 (3.10) Beginning March 1, 2015, each State's Attorney  
17 shall annually submit a report to the General Assembly  
18 disclosing:

19 (A) the number of requests for each qualified  
20 offense for approval under this subsection; and

21 (B) the number of approvals for each qualified  
22 offense given by the State's Attorney.

23 (4) Admissibility of evidence. No part of the contents  
24 of any wire, electronic, or oral communication that has  
25 been recorded or intercepted as a result of this exception  
26 may be received in evidence in any trial, hearing, or

1       other proceeding in or before any court, grand jury,  
2       department, officer, agency, regulatory body, legislative  
3       committee, or other authority of this State, or a  
4       political subdivision of the State, other than in a  
5       prosecution of:

6               (A) the qualified offense for which approval was  
7       given to record or intercept a conversation under this  
8       subsection (q);

9               (B) a forcible felony committed directly in the  
10      course of the investigation of the qualified offense  
11      for which approval was given to record or intercept a  
12      conversation under this subsection (q); or

13              (C) any other forcible felony committed while the  
14      recording or interception was approved in accordance  
15      with this subsection (q), but for this specific  
16      category of prosecutions, only if the law enforcement  
17      officer or person acting at the direction of a law  
18      enforcement officer who has consented to the  
19      conversation being intercepted or recorded suffers  
20      great bodily injury or is killed during the commission  
21      of the charged forcible felony.

22              (5) Compliance with the provisions of this subsection  
23      is a prerequisite to the admissibility in evidence of any  
24      part of the contents of any wire, electronic or oral  
25      communication that has been intercepted as a result of  
26      this exception, but nothing in this subsection shall be

1       deemed to prevent a court from otherwise excluding the  
2       evidence on any other ground recognized by State or  
3       federal law, nor shall anything in this subsection be  
4       deemed to prevent a court from independently reviewing the  
5       admissibility of the evidence for compliance with the  
6       Fourth Amendment to the U.S. Constitution or with Article  
7       I, Section 6 of the Illinois Constitution.

8       (6) Use of recordings or intercepts unrelated to  
9       qualified offenses. Whenever any private conversation or  
10      private electronic communication has been recorded or  
11      intercepted as a result of this exception that is not  
12      related to an offense for which the recording or intercept  
13      is admissible under paragraph (4) of this subsection (q),  
14      no part of the contents of the communication and evidence  
15      derived from the communication may be received in evidence  
16      in any trial, hearing, or other proceeding in or before  
17      any court, grand jury, department, officer, agency,  
18      regulatory body, legislative committee, or other authority  
19      of this State, or a political subdivision of the State,  
20      nor may it be publicly disclosed in any way.

21      (6.5) The Illinois State Police shall adopt rules as  
22      are necessary concerning the use of devices, retention of  
23      recordings, and reports regarding their use under this  
24      subsection (q).

25      (7) Definitions. For the purposes of this subsection  
26      (q) only:

1           "Forcible felony" includes and is limited to those  
2 offenses contained in Section 2-8 of the Criminal Code  
3 of 1961 as of the effective date of this amendatory Act  
4 of the 97th General Assembly, and only as those  
5 offenses have been defined by law or judicial  
6 interpretation as of that date.

7           "Qualified offense" means and is limited to:

8                   (A) a felony violation of the Cannabis Control  
9 Act, the Illinois Controlled Substances Act, or  
10 the Methamphetamine Control and Community  
11 Protection Act, except for violations of:

12                           (i) Section 4 of the Cannabis Control Act;

13                           (ii) Section 402 of the Illinois  
14 Controlled Substances Act; and

15                           (iii) Section 60 of the Methamphetamine  
16 Control and Community Protection Act; and

17                   (B) first degree murder, solicitation of  
18 murder for hire, predatory criminal sexual assault  
19 of a child, criminal sexual assault, aggravated  
20 criminal sexual assault, aggravated arson,  
21 kidnapping, aggravated kidnapping, child  
22 abduction, trafficking in persons, involuntary  
23 servitude, involuntary sexual servitude of a  
24 minor, or gunrunning.

25           "State's Attorney" includes and is limited to the  
26 State's Attorney or an assistant State's Attorney



1 designated by the State's Attorney to provide verbal  
2 approval to record or intercept conversations under  
3 this subsection (q).

4 (8) Sunset. This subsection (q) is inoperative on and  
5 after January 1, 2027. No conversations intercepted  
6 pursuant to this subsection (q), while operative, shall be  
7 inadmissible in a court of law by virtue of the  
8 inoperability of this subsection (q) on January 1, 2027.

9 (9) Recordings, records, and custody. Any private  
10 conversation or private electronic communication  
11 intercepted by a law enforcement officer or a person  
12 acting at the direction of law enforcement shall, if  
13 practicable, be recorded in such a way as will protect the  
14 recording from editing or other alteration. Any and all  
15 original recordings made under this subsection (q) shall  
16 be inventoried without unnecessary delay pursuant to the  
17 law enforcement agency's policies for inventorying  
18 evidence. The original recordings shall not be destroyed  
19 except upon an order of a court of competent jurisdiction;

20 ~~and~~

21 (r) Electronic recordings, including but not limited  
22 to, motion picture, videotape, digital, or other visual or  
23 audio recording, made of a lineup under Section 107A-2 of  
24 the Code of Criminal Procedure of 1963; ~~and-~~

25 (s) Recordings made pursuant to and in compliance with  
26 the Law Enforcement Officer-Worn Body Camera Act.

(Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;  
102-918, eff. 5-27-22.)

(720 ILCS 5/31-4) (from Ch. 38, par. 31-4)

Sec. 31-4. Obstructing justice.

(a) A person obstructs justice when, with intent to prevent the apprehension or obstruct the prosecution or defense of any person, he or she knowingly commits any of the following acts:

(1) destroys ~~Destroys~~, alters, conceals or disguises physical evidence, plants false evidence, furnishes false information; ~~or~~

(2) induces ~~Induces~~ a witness having knowledge material to the subject at issue to leave the State or conceal himself or herself; ~~or~~

(3) possessing ~~Possessing~~ knowledge material to the subject at issue, he or she leaves the State or conceals himself; ~~or~~

(4) if ~~if~~ a parent, legal guardian, or caretaker of a child under 13 years of age reports materially false information to a law enforcement agency, medical examiner, coroner, State's Attorney, or other governmental agency during an investigation of the disappearance or death of a child under circumstances described in subsection (a) or (b) of Section 10-10 of this Code; or.

(5) takes a body camera or any part of a body camera

1       from a person known to be a peace officer.

2       (b) Sentence.

3           (1) Obstructing justice is a Class 4 felony, except as  
4       provided in paragraphs ~~paragraph~~ (2) and (3) of this  
5       subsection (b).

6           (2) Obstructing justice in furtherance of streetgang  
7       related or gang-related activity, as defined in Section 10  
8       of the Illinois Streetgang Terrorism Omnibus Prevention  
9       Act, is a Class 3 felony.

10          (3) A violation of paragraph (5) of subsection (a), if  
11       the body camera or any part of the body camera is taken  
12       from the peace officer during the commission of an offense  
13       that has caused great bodily harm to the officer or  
14       another person, is a Class 1 felony. Any other violation  
15       of paragraph (5) of subsection (a) is a Class 2 felony.

16       (Source: P.A. 97-1079, eff. 1-1-13.)

1 INDEX

2 Statutes amended in order of appearance

3 5 ILCS 140/7.5

4 50 ILCS 706/10-10

5 50 ILCS 706/10-15

6 50 ILCS 706/10-20

7 50 ILCS 707/15

8 50 ILCS 707/20

9 720 ILCS 5/14-3

10 720 ILCS 5/31-4 from Ch. 38, par. 31-4