

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****HB4262**

Introduced 1/14/2026, by Rep. Curtis J. Tarver, II

SYNOPSIS AS INTRODUCED:

New Act

Creates the Civil Remedies for Nonconsensual Recording of Children Act. Creates a civil action for a child or the parent or legal guardian on behalf of a child if a person (1) makes a video record or transmits a live video of the child without the consent of the child's parent or guardian in a restroom, tanning bed, tanning salon, locker room, changing room, or hotel residence; or (2) makes a video record or transmits a live video of a child without the consent of the child's parent or guardian in a residence in which the child does not reside. Provides for exceptions. Provides that a child who proves by a preponderance of the evidence that a defendant violated the Act against the child is considered obviously and materially harmful to the child and is per se harmful and traumatic. Authorizes a prevailing plaintiff to recover: (1) the greater of: (A) economic and noneconomic damages proximately caused by the defendant's violation of the Act, including but not limited to damages for emotional distress whether or not accompanied by other damages; or (B) statutory damages, not to exceed \$10,000, against each defendant found liable under the Act; (2) punitive damages; and (3) reasonable attorney's fees and costs. Provides that an action under the Act may not be brought no later than 2 years from the date the cause of action was discovered or should have been discovered with the exercise of reasonable diligence. Tolls the statute of limitation until the child becomes emancipated or attains the age of majority. Provides that if a State agency or unit of local government is required by law or ordinance to inspect a restroom, tanning bed, tanning salon, locker room, changing room, or hotel residence, the State agency or unit of local government must also inspect for hidden cameras. Provides that if a hidden camera is discovered, the owner or operator of the inspected location must post a public notice advising of the camera and the area it films. Provides that the notice must be in English and any other language that is spoken by a significant number of local residents in that area. Provides that the Act applies to causes of action accruing on or after the effective date of this amendatory Act.

LRB104 16636 JRC 30039 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 Civil
5 Remedies for Nonconsensual Recording of Children Act.

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

7 "Child" means an unemancipated individual who is less than
8 18 years of age.

9 "Consent" means affirmative, conscious, and voluntary
10 authorization by an individual with legal capacity to give
11 authorization.

12 "Hidden camera" is a miniature or disguised recording
13 device that can record or film a person while that person has
14 no awareness that a hidden camera is present or being used.

15 "Hotel" means any building or buildings in which the
16 public may, for a consideration, obtain living quarters,
17 sleeping or housekeeping accommodations. The term includes,
18 but is not limited to, inns, motels, tourist homes or courts,
19 lodging houses, rooming houses and apartment houses, retreat
20 centers, conference centers, hunting lodges, and short-term
21 rentals.

22 "Live video" means any real-time or contemporaneous
23 electronic or digital transmission of a still or moving visual

1 image.

2 "Residence" includes a rental dwelling, but does not
3 include stairwells, corridors, laundry facilities, or
4 additional areas in which the general public has access.

5 "Video record" means any videotape, photograph, film, or
6 other electronic or digital recording of a still or moving
7 visual image.

8 Section 10. Civil action.

9 (a) A cause of action is created for a child or the parent
10 or guardian of the child on behalf of the child if a person or
11 entity does any of the following:

12 (1) Makes a video record or transmits a live video of
13 the child without the consent of the child's parent or
14 guardian in a restroom, tanning bed, tanning salon, locker
15 room, changing room, or hotel residence.

16 (2) Makes a video record or transmits a live video of a
17 child without the consent of the child's parent or
18 guardian in a residence in which the child does not
19 reside.

20 (b) This Section does not apply to any of the following:

21 (1) A parent or legal guardian of the child who is the
22 subject of the recording unless the parent's or legal
23 guardian action is prohibited by a law other than this
24 Act.

25 (2) A video record made in good faith by law

1 enforcement in a legal proceeding.

2 (3) A video record made in good faith for medical
3 education or treatment.

4 (4) A video record made in in good faith in the
5 reporting of unlawful conduct.

6 Section 15. Violation of Act is per se harmful. A child who
7 proves by a preponderance of the evidence that a defendant
8 violated this Act against the child is considered obviously
9 and materially harmful to the child and is deemed to be per se
10 harmful and traumatic. A child does not need to present
11 additional evidence to prove the child was harmed, but the
12 child may present additional evidence to show the extent of
13 the harm. Nothing in this Section may be construed to state
14 that a child discovered the cause of action at any particular
15 time, or that a child realized that the child's damages were
16 related to the violation of this Act at any particular time.

17 Section 20. Privacy of children.

18 (a) In an action under this Act:

19 (1) a plaintiff may proceed by using a pseudonym in
20 place of the true name of the plaintiff under Section
21 2-401 of the Code of Civil Procedure; and

22 (2) the court may exclude or redact from all pleadings
23 and documents filed in the action other identifying
24 characteristics of the plaintiff.

1 (b) If a plaintiff uses a pseudonym as provided in this
2 Section, the plaintiff must file with the court and serve on
3 the defendant a confidential information form that includes
4 the excluded or redacted plaintiff's name and other
5 identifying characteristics.

6 (c) The court may make further orders as necessary to
7 protect the identity and privacy of a plaintiff.

8 (d) If a plaintiff is granted privacy protections under
9 this Section, a defendant may file a motion with the court to
10 receive the same privacy protections. The court may deny or
11 grant the motion at its discretion.

12 Section 25. Remedies.

13 (a) In an action under this Act, a prevailing plaintiff
14 may recover:

15 (1) the greater of:

16 (A) economic and noneconomic damages proximately
17 caused by the defendant's violation of this Act,
18 including but not limited to damages for emotional
19 distress whether or not accompanied by other damages;
20 or

21 (B) statutory damages, not to exceed \$10,000,
22 against each defendant found liable under this Act;

23 (2) punitive damages; and

24 (3) reasonable attorney's fees and costs to the
25 prevailing plaintiff.

1 (b) This Act does not affect or limit a right or remedy
2 available under any other law of this State.

3 Section 30. Statute of limitations.

4 (a) An action under this Act may not be brought later than
5 2 years from the date the cause of action was discovered or
6 should have been discovered with the exercise of reasonable
7 diligence.

8 (b) Except as otherwise provided in subsection (c), this
9 Section is subject to the tolling statutes of this State.

10 (c) If a cause of action accrues for a violation of this
11 Act against a child, the time specified in subsection (a) of
12 this Section does not begin to run until the child becomes
13 emancipated or attains the age of majority.

14 Section 35. Public notice of hidden cameras. If a State
15 agency or unit of local government is required by law or
16 ordinance to inspect a restroom, tanning bed, tanning salon,
17 locker room, changing room, or hotel residence, the State
18 agency or unit of local government must also inspect for
19 hidden cameras. If a hidden camera is discovered, the owner or
20 operator of the inspected location must post a public notice
21 advising of the camera and the area it films. The notice must
22 be in English and any other language that is spoken by a
23 significant number of local residents in that area.

1 Section 97. Applicability. This Act applies to causes of
2 action accruing on or after the effective date of this Act.