

SB3281



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3281

Introduced 2/3/2026, by Sen. Chris Balkema

SYNOPSIS AS INTRODUCED:

720 ILCS 5/26-4

from Ch. 38, par. 26-4

Amends the Criminal Code of 2012. Provides that it is unlawful for any person to, without the consent of another person, operate an unmanned aerial vehicle in a manner that: (1) is intended to cause the unmanned aerial vehicle to enter the space above or surrounding the other person's occupied residence for the purpose of making a video record or transmitting live video or audio recordings of the other person while the other person is: (A) within his or her occupied residence; or (B) on the land or premises on which his or her occupied residence is located; and (2) invades the other person's reasonable expectation of privacy. Provides that it is unlawful for the person to knowingly disseminate a video record or live video made in violation of these provisions. Defines "unmanned aerial vehicle". Provides that a violation is a Class A misdemeanor.

LRB104 14409 RLC 27546 b

A BILL FOR

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
5 changing Section 26-4 as follows:

6 (720 ILCS 5/26-4) (from Ch. 38, par. 26-4)

7 Sec. 26-4. Unauthorized video recording and live video
8 transmission.

9 (a) It is unlawful for any person to knowingly make a video
10 record or transmit live video of another person without that
11 person's consent in a restroom, tanning bed, tanning salon,
12 locker room, changing room, or hotel bedroom.

13 (a-5) It is unlawful for any person to knowingly make a
14 video record or transmit live video of another person in that
15 other person's residence without that person's consent.

16 (a-6) It is unlawful for any person to knowingly make a
17 video record or transmit live video of another person in that
18 other person's residence without that person's consent when
19 the recording or transmission is made outside that person's
20 residence by use of an audio or video device that records or
21 transmits from a remote location.

22 (a-10) It is unlawful for any person to knowingly make a
23 video record or transmit live video of another person's

1 intimate parts for the purpose of viewing the body of or the
2 undergarments worn by that other person without that person's
3 consent. For the purposes of this subsection (a-10), "intimate
4 parts" means the fully unclothed, partially unclothed, or
5 transparently clothed genitals, pubic area, anus, or if the
6 person is female, a partially or fully exposed nipple,
7 including exposure through transparent clothing.

8 (a-15) It is unlawful for any person to place or cause to
9 be placed a device that makes a video record or transmits a
10 live video in a restroom, tanning bed, tanning salon, locker
11 room, changing room, or hotel bedroom with the intent to make a
12 video record or transmit live video of another person without
13 that person's consent.

14 (a-20) It is unlawful for any person to place or cause to
15 be placed a device that makes a video record or transmits a
16 live video with the intent to make a video record or transmit
17 live video of another person in that other person's residence
18 without that person's consent.

19 (a-25) It is unlawful for any person to, by any means,
20 knowingly disseminate, or permit to be disseminated, a video
21 record or live video that he or she knows to have been made or
22 transmitted in violation of subsection (a), (a-5), (a-6),
23 (a-10), (a-15), ~~or~~ (a-20), or (a-30).

24 (a-30)(1) It is unlawful for any person to knowingly,
25 without the consent of another person, operate an unmanned
26 aerial vehicle in a manner that:

1 (A) is intended to cause the unmanned aerial vehicle
2 to enter the space above or surrounding the other person's
3 occupied residence for the purpose of making a video
4 record or transmitting live video, or audio recordings of
5 the other person while the other person is:

6 (i) within his or her occupied residence; or

7 (ii) on the land or premises on which his or her
8 occupied residence is located; and

9 (B) invades the other person's reasonable expectation
10 of privacy.

11 (2) It is unlawful for the person to knowingly disseminate
12 a video record or live video made in violation of
13 subparagraphs (A) and (B) of paragraph (1) of this subsection
14 (a-30).

15 (b) Exemptions. The following activities shall be exempt
16 from the provisions of this Section:

17 (1) The making of a video record or transmission of
18 live video by law enforcement officers pursuant to a
19 criminal investigation, which is otherwise lawful;

20 (2) The making of a video record or transmission of
21 live video by correctional officials for security reasons
22 or for investigation of alleged misconduct involving a
23 person committed to the Department of Corrections; and

24 (3) The making of a video record or transmission of
25 live video in a locker room by a reporter or news medium,
26 as those terms are defined in Section 8-902 of the Code of

1 Civil Procedure, where the reporter or news medium has
2 been granted access to the locker room by an appropriate
3 authority for the purpose of conducting interviews.

4 (c) The provisions of this Section do not apply to any
5 sound recording or transmission of an oral conversation made
6 as the result of the making of a video record or transmission
7 of live video, and to which Article 14 of this Code applies.

8 (d) Sentence.

9 (1) A violation of subsection (a-15) or (a-20) is a
10 Class A misdemeanor.

11 (2) A violation of subsection (a), (a-5), (a-6), or
12 (a-10) is a Class 4 felony.

13 (3) A violation of subsection (a-25) is a Class 3
14 felony.

15 (4) A violation of subsection (a), (a-5), (a-6),
16 (a-10), (a-15) or (a-20) is a Class 3 felony if the victim
17 is a person under 18 years of age or if the violation is
18 committed by an individual who is required to register as
19 a sex offender under the Sex Offender Registration Act.

20 (5) A violation of subsection (a-25) is a Class 2
21 felony if the victim is a person under 18 years of age or
22 if the violation is committed by an individual who is
23 required to register as a sex offender under the Sex
24 Offender Registration Act.

25 (e) For purposes of this Section:

26 (1) "Residence" includes a rental dwelling, but does

1 not include stairwells, corridors, laundry facilities, or
2 additional areas in which the general public has access.

3 (1.5) "Unmanned aerial vehicle" means an aircraft that
4 does not carry a human operator and that is capable of
5 flight under remote control or autonomous programming.

6 "Unmanned aerial vehicle" includes the following:

7 (A) an unmanned aircraft and an unmanned aircraft
8 system (both as defined in Section 331 of Public Law
9 112-95); and

10 (B) a small unmanned aircraft and a small unmanned
11 aircraft system (both as defined in 14 CFR 107.3).

12 (2) "Video record" means and includes any videotape,
13 photograph, film, or other electronic or digital recording
14 of a still or moving visual image; and "live video" means
15 and includes any real-time or contemporaneous electronic
16 or digital transmission of a still or moving visual image.

17 (Source: P.A. 102-567, eff. 1-1-22.)