



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Patricia Reid Lindner - Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

720 ILCS 5/11-20.2

from Ch. 38, par. 11-20.2

Amends the Criminal Code of 1961. Provides that a computer engineer, computer technician, management information engineer, or management information technician who has knowledge of or observes within the scope of his or her professional capacity or employment a computer image that depicts a child whom the engineer or technician knows or reasonably should know to be under the age of 18 engaged in certain sexual acts shall report the instance to a peace officer as soon as possible. Provides that failure to report is a petty offense with a \$1,000 fine. Provides that a commercial film or photographic print processor, computer engineer, computer technician, management information engineer, or management information technician shall be forever held harmless from any civil liability for his or her reasonable compliance with the reporting provisions.

LRB093 18798 RLC 44532 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 1961 is amended by changing
5 Section 11-20.2 as follows:

6 (720 ILCS 5/11-20.2) (from Ch. 38, par. 11-20.2)

7 Sec. 11-20.2. Image of child under 18 engaged in certain
8 acts; report to peace officer.

9 (a) Any commercial film and photographic print processor
10 who has knowledge of or observes, within the scope of his or
11 her professional capacity or employment, any film, photograph,
12 videotape, negative or slide which depicts a child whom the
13 processor knows or reasonably should know to be under the age
14 of 18 where such child is:

15 (i) actually or by simulation engaged in any act of
16 sexual intercourse with any person or animal; or

17 (ii) actually or by simulation engaged in any act of
18 sexual contact involving the sex organs of the child and
19 the mouth, anus, or sex organs of another person or animal;
20 or which involves the mouth, anus or sex organs of the
21 child and the sex organs of another person or animal; or

22 (iii) actually or by simulation engaged in any act of
23 masturbation; or

24 (iv) actually or by simulation portrayed as being the
25 object of, or otherwise engaged in, any act of lewd
26 fondling, touching, or caressing involving another person
27 or animal; or

28 (v) actually or by simulation engaged in any act of
29 excretion or urination within a sexual context; or

30 (vi) actually or by simulation portrayed or depicted as
31 bound, fettered, or subject to sadistic, masochistic, or
32 sadomasochistic abuse in any sexual context;

1 shall report such instance to a peace officer immediately or as
2 soon as possible. Failure to make such report shall be a petty
3 ~~business~~ offense with a fine of \$1,000.

4 (b) Any computer engineer, computer technician, management
5 information engineer, or management information technician who
6 has knowledge of or observes, within the scope of his or her
7 professional capacity or employment, any computer image which
8 depicts a child whom the engineer or technician knows or
9 reasonably should know to be under the age of 18 where such
10 child is:

11 (i) actually or by simulation engaged in any act of
12 sexual intercourse with any person or animal; or

13 (ii) actually or by simulation engaged in any act of
14 sexual contact involving the sex organs of the child and
15 the mouth, anus, or sex organs of another person or animal;
16 or which involves the mouth, anus or sex organs of the
17 child and the sex organs of another person or animal; or

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24 (v) actually or by simulation engaged in any act of
25 excretion or urination within a sexual context; or

26 (vi) actually or by simulation portrayed or depicted as
27 bound, fettered, or subject to sadistic, masochistic, or
28 sadomasochistic abuse in any sexual context;

29 shall report such instance to a peace officer immediately or as
30 soon as possible. Failure to make such report shall be a petty
31 offense with a fine of \$1,000.

32 (c) A commercial film or photographic print processor,
33 computer engineer, computer technician, management information
34 engineer, or management information technician shall be
35 forever held harmless from any civil liability for his or her
36 reasonable compliance with the provisions of this Section.

1 (Source: P.A. 84-1280.)