

**720 ILCS 5/17-52.5**

Statutes current with legislation through P.A. 103-585 of the 2024 Regular Session of the 103rd General Assembly.

*Illinois Compiled Statutes Annotated > Chapter 720 CRIMINAL OFFENSES (§§ 5/1-1 — 690/4.5) > CRIMINAL CODE (§§ 5/1-1 — 5/49-6) > Criminal Code of 2012 (Titles I — V) > Title III. Specific Offenses (Pts. A — F) > Part C. Offenses Directed Against Property (Arts. 15 — 21.3) > Article 17. Deception and Fraud (§§ 17-0.5 — 5/17-62) > Subdivision 30. Computer Fraud (§§ 5/17-50 — 17-55)*

**720 ILCS 5/17-52.5 Unlawful use of encryption.**

---

(a) For the purpose of this Section:

“Computer” has the meaning ascribed to the term in Section 17-0.5.

“Encryption” means the use of any protective or disruptive measure, including, without limitation, cryptography, enciphering, encoding, or a computer contaminant, to: (1) prevent, impede, delay, or disrupt access to any data, information, image, program, signal, or sound; (2) cause or make any data, information, image, program, signal, or sound unintelligible or unusable; or (3) prevent, impede, delay, or disrupt the normal operation or use of any component, device, equipment, system, or network.

“Network” means a set of related, remotely connected devices and facilities, including more than one system, with the capability to transmit data among any of the devices and facilities. The term includes, without limitation, a local, regional, or global computer network.

“Program” means an ordered set of data representing coded instructions or statements which can be executed by a computer and cause the computer to perform one or more tasks.

“System” means a set of related equipment, whether or not connected, which is used with or for a computer.

(b) A person shall not knowingly use or attempt to use encryption, directly or indirectly, to:

- (1) commit, facilitate, further, or promote any criminal offense;
- (2) aid, assist, or encourage another person to commit any criminal offense;
- (3) conceal evidence of the commission of any criminal offense; or
- (4) conceal or protect the identity of a person who has committed any criminal offense.

(c) Telecommunications carriers and information service providers are not liable under this Section, except for willful and wanton misconduct, for providing encryption services used by others in violation of this Section.

(d) Sentence. A person who violates this Section is guilty of a Class A misdemeanor, unless the encryption was used or attempted to be used to commit an offense for which a greater penalty is provided by law. If the encryption was used or attempted to be used to commit an offense for which a greater penalty is provided by law, the person shall be punished as prescribed by law for that offense.

(e) A person who violates this Section commits a criminal offense that is separate and distinct from any other criminal offense and may be prosecuted and convicted under this Section whether or not the person or any other person is or has been prosecuted or convicted for any other criminal offense arising out of the same facts as the violation of this Section.

## History

---

P.A. 95-942, § 5; 96-1551, § 5-5; 2019 P.A. 101-87, § 5, effective January 1, 2020.

Illinois Compiled Statutes Annotated  
Copyright © 2024 All rights reserved.