



ILLINOIS CHAMBER
OF COMMERCE

IL - HB337 AUTODIALER-CALLER ID-CONSENT

Last Action: House Committee Amendment No. 1 Rules Refers to Executive Committee (February 19, 2019)

Summary: Amends the Automatic Telephone Dialers Act. Redefines "recorded message" to mean any artificial or recorded communication that includes or introduces an advertisement or constitutes telemarketing without live voice interaction (rather than any taped communication soliciting the sale of goods or services without live voice interaction). Prohibits an autodialer from providing inaccurate caller ID information in violation of a specified federal law and regulations of the Federal Communications Commission. Provides that it is a violation of the Act to play a recorded message (rather than a prerecorded message) placed by an autodialer without the (i) prior express consent of the called party or (ii) the prior express written consent of the called party if the call is made by or on behalf of a tax-exempt nonprofit organization or is a call that delivers a health care message made by, or on behalf of, a covered entity or its business associate as those terms are defined in a specified provision of the Health Insurance Portability and Accountability Act of 1996. Defines "telemarketing" and "prior express written consent".

IL - HB1582 BROADBAND PROCURE & DISCLOSURE

Last Action: Assigned to Cybersecurity, Data Analytics, & IT Committee (February 13, 2019)

Summary: Creates the Broadband Procurement and Disclosure Act. Provides that no State broadband purchaser may award any contract to an Internet service provider that includes broadband service unless the contract provides specified terms concerning access to and impairment of Internet services. Requires each Internet service provider to make available on its website a clear and conspicuous statement informing end users of the Internet service provider's network management practices and performance, including commercial terms offered to end users. Provides enforcement and damages provisions. Provides that nothing in the Act supersedes any obligation or authorization or limits the ability of an Internet service provider to address the needs of emergency communications or law enforcement, public safety, or national security authorities consistent with or as permitted by applicable law. Provides legislative findings. Defines terms.

IL - HB2736 RIGHT TO KNOW ACT

Last Action: Referred to Rules Committee (February 14, 2019)

Summary: Creates the Right to Know Act. Provides that an operator of a commercial website or online service that collects personally identifiable information through the Internet about individual customers residing in Illinois who use or visit its commercial website or online service shall notify those customers of certain specified information pertaining to its personal information sharing practices. Requires an operator to make available certain specified information upon disclosing a customer's personal information to a third party, and to provide an e-mail address or toll-free

telephone number whereby customers may request or obtain that information. Provides for a data protection safety plan. Provides for a right of action to customers whose rights are violated under the Act. Provides that any waiver of the provisions of the Act or any agreement that does not comply with the applicable provisions of the Act shall be void and unenforceable. Provides that no provision of the Act shall be construed to conflict with or apply to certain specified provisions of federal law or certain interactions with State or local government. Provides findings and purpose. Defines terms.

IL - HB2784 PERSONAL INFO PROTECT-TERMS

Last Action: Referred to Rules Committee (February 14, 2019)

Summary: Amends the Personal Information Protection Act. Provides that "consumer marketing information" means information related to a consumer's online browsing history, online search history, or purchasing history, including, but not limited to, consumer profiles that are based upon the information. Provides that "geolocation information" means information that is (i) generated or derived from the operation or use of an electronic communications device, (ii) stored and sufficient to identify the street name and the name of the city or town in which an individual is located, and (iii) likely to enable someone to determine an individual's regular pattern of behavior. Provides that "geolocation information" does not include the contents of an electronic communication. Provides that "medical information" includes genetic information. Provides that "personal information" means an individual's first name or first initial and last name and email address. Adds geolocation information, consumer marketing information, and audio recordings to the list of data elements included in the definition of "personal information".

IL - HB2785 GEOLOCATION PRIVACY PROTECTION

Last Action: Referred to Rules Committee (February 14, 2019)

Summary: Creates the Geolocation Privacy Protection Act. Defines "geolocation information", "location-based application", "private entity", and "user". Provides that a private entity may not collect, use, store, or disclose geolocation information from a location-based application on a user's device unless the private entity first receives the person's affirmative express consent after complying with specified notice requirements. Provides exceptions. Provides that a violation of the Act constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Provides that the provisions of the Act may not be waived. Contains applicability language. Makes a corresponding change in the Consumer Fraud and Deceptive Business Practices Act.

IL - HB3051 APP PRIVACY PROTECTION

Last Action: Referred to Rules Committee (February 15, 2019)

Summary: Creates the App Privacy Protection Act. Requires an entity that owns, controls, or operates a web site, online service, or software application to identify in its customer agreements or applicable

terms whether third parties collect electronic information directly from the digital devices of individuals in Illinois who use or visit its web site, online service, or software application. Requires the disclosure of the names of those third parties and the categories of information collected. Amends the Consumer Fraud and Deceptive Business Practices Act to provide that a violation of the App Privacy Protection Act constitutes a violation of that Act.

IL - HB3492 LOW INCOME BROADBAND PROGRAM

Last Action: Referred to Rules Committee (February 15, 2019)

Summary: Creates the Illinois Low Income Broadband Assistance Program. Requires the Department of Commerce and Economic Opportunity to establish an Illinois Low Income Broadband Assistance Program (Program) to ensure the availability and affordability of broadband service to low income families. Provides that the Department shall coordinate with Local Administrative Agencies (LAAs) to determine eligibility for the Program, provided that eligible income shall be no more than 135% of the federal poverty level. Provides that families whose annual household income is at or below 100% of the federal poverty level shall be eligible for free broadband service. Provides that a credit of at least \$9.95 a month for broadband services shall be payable monthly to: (i) families whose annual household income is above 100% of the federal poverty level but no greater than 135% of the federal poverty level; and (ii) families that include at least one adult person or dependent child who qualifies for or participates in the Supplemental Nutrition Assistance Program, the Supplemental Security Income program, Veterans Pension and Survivors Benefits Programs, and other specified assistance programs. Provides that the \$9.95 broadband service credit may be adjusted according to family size. Provides that families who participate in the federal Lifeline program or any other State Internet service subsidy program shall not be eligible to participate in the Illinois Low Income Broadband Assistance Program. Contains provisions concerning continued eligibility requirements; bill payments requirements; and rulemaking authority.

IL - HB3507 UNDERGROUND-IT INFRASTRUCTURE

Last Action: Referred to Rules Committee (February 15, 2019)

Summary: Amends the Illinois Underground Utility Facilities Damage Prevention Act. Includes, in the definition of "underground utility facilities", wires, ducts, fiber optic cable, conduits, pipes, sewers, and cables and their appurtenances installed underground for information technology infrastructure, equipment, systems, software, networks, and processes used to create, send, receive, and store electronic or digital information, including computer systems, telecommunication services and systems, and future technologies.

IL - HR57 ROBOCALLS-PREVENTION

Last Action: Placed on Calendar Order of Resolutions (February 20, 2019)

Summary: Expresses support for efforts by the federal government and the telecommunication industry to stop the abuse of national telecommunication networks and the defrauding of citizens by deceitful robocalls and scam callers.

IL - SB1284 CRIM CD-CALLER-ID-SPOOFING

Last Action: To Subcommittee on CLEAR Compliance (February 20, 2019)

Summary: Amends the Criminal Code of 2012. Creates the offense of Caller ID spoofing. Provides that a person commits the offense when he or she, in connection with any telecommunications service or voice over Internet protocol (VoIP) service, knowingly causes any caller identification service to transmit misleading or inaccurate caller identification information with the intent to deceive, defraud, mislead, harass, cause emotional distress, or wrongfully obtain anything of value. Provides exemptions. Provides that a first offense is a Class B misdemeanor and a second or subsequent offense is a Class A misdemeanor.

IL - SB1719 KEEP INTERNET DEVICES SAFE ACT

Last Action: Referred to Assignments (February 15, 2019)

Summary: Creates the Keep Internet Devices Safe Act. Includes a statement of legislative intent and defines terms. Provides that no private entity may turn on or enable, cause to be turned on or enabled, or otherwise use a digital device's microphone to listen for or collect information, including spoken words or other audible or inaudible sounds, unless a user first agrees to a written policy meeting specified criteria. Provides that a private entity that collects, stores, or transmits any information collected through a digital device's microphone concerning an Illinois resident shall implement and maintain reasonable security measures to protect such information from unauthorized access, acquisition, destruction, use, modification, and disclosure. Adds provisions governing waiver, applicability, and exceptions. Provides that a violation of the Keep Internet Devices Safe Act constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act and makes a corresponding change in that Act.

IL - SB1837 AUTODIAL-CALLER ID-CONSENT

Last Action: Referred to Assignments (February 15, 2019)

Summary: Amends the Automatic Telephone Dialers Act. Redefines "recorded message" to mean any artificial or recorded communication that includes or introduces an advertisement or constitutes telemarketing without live voice interaction (rather than any taped communication soliciting the sale of goods or services without live voice interaction). Prohibits an autodialer from providing inaccurate caller ID information in violation of a specified federal law and regulations of the Federal Communications Commission. Provides that it is a violation of the Act to play a recorded message (rather than a prerecorded message) placed by an autodialer without (i) the prior express written

consent of the called party or (ii) the prior express written consent of the called party if the call is a call that delivers a health care message made by, or on behalf of, a covered entity or its business associate as those terms are defined in a specified provision of the Health Insurance Portability and Accountability Act of 1996. Defines "telemarketing" and "prior written consent".

IL - SB2089 STUDENT ONLINE PROTECTION

Last Action: Referred to Assignments (February 15, 2019)

Summary: Creates the Student Online Personal Protection Act of 2019. Provides for legislative intent and definitions. Provides for operator prohibitions, operator duties, school authority prohibitions, school authority duties, State Board of Education duties, and parent rights. Creates the Student Data Protection Oversight Committee and provides for the Committee's membership and support. Requires the Committee to submit an annual report to the General Assembly and the State Board of Education with recommendations, if any, for policy revisions and legislative amendments that would carry out the intent of the Act. Amends the Illinois School Student Records Act. Adds a definition of record. Requires written consent of a student's parent to publish student directories that list student names, addresses, and other identifying information and similar publications. Amends the Consumer Fraud and Deceptive Business Practices Act to make a conforming change. Repeals the Student Online Personal Protection Act. Effective immediately.

IL - SB2149 RIGHT TO KNOW ACT

Last Action: Referred to Assignments (February 15, 2019)

Summary: Creates the Right to Know Data Transparency and Privacy Act. Provides that an operator of a commercial website or online service that collects personally identifiable information through the Internet about individual customers residing in Illinois who use or visit its commercial website or online service shall notify those customers of certain specified information pertaining to its personal information sharing practices. Requires an operator to make available certain specified information upon disclosing a customer's personal information to a third party, and to provide an email address, toll-free telephone number, or webform whereby customers may request or obtain that information. Provides violation provisions. Provides that any waiver of the provisions of the Act or any agreement that does not comply with the applicable provisions of the Act shall be void and unenforceable. Provides that no provision of the Act shall be construed to conflict with or apply to specified provisions of federal or State law or certain interactions with State or local government. Provides findings and purpose. Defines terms.

IL - SJR18 AUTO DIALING TASK FORCE

Last Action: Placed on Calendar Order of Secretary's Desk Resolutions March 5, 2019 (February 21, 2019)

February 21, 2019

Summary: Creates the Illinois Automated Dialing and Solicitation Task Force to review the Telephone Solicitations Act (815 ILCS 413/) and develop ideas to update the Act.