

**SB2486**



**94TH GENERAL ASSEMBLY**

**State of Illinois**

**2005 and 2006**

**SB2486**

Introduced 1/18/2006, by Sen. Ira I. Silverstein

**SYNOPSIS AS INTRODUCED:**

New Act  
815 ILCS 505/2Z

from Ch. 121 1/2, par. 262Z

Creates the Customer Proprietary Network Information Protection Act. Prohibits a person from selling or disclosing or offering to sell or disclose any customer proprietary network information relating to the telephone service account of any resident of this State, with these exceptions: disclosure that is authorized by law or regulation, an order of any agency having regulatory authority over a telecommunications carrier, or the telephone service account holder; and disclosure in accordance with a subpoena, warrant, or other lawful process. Provides that a person who knowingly violates the Act commits a Class A misdemeanor and also commits an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act. Amends the Consumer Fraud and Deceptive Business Practices Act accordingly.

LRB094 18254 WGH 53565 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT concerning certain telephone service accounts.

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  
5 Customer Proprietary Network Information Protection Act.

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

7 "Customer proprietary network information" has the meaning  
8 ascribed to that term in Section 222 of Title 47 of the United  
9 States Code.

10 "Telecommunications carrier" has the meaning ascribed to  
11 that term in Section 153 of Title 47 of the United States Code.

12 Section 10. Sale or disclosure; customer proprietary  
13 network information.

14 (a) Except as otherwise provided in this Section, a person  
15 may not sell or disclose or offer to sell or disclose any  
16 customer proprietary network information relating to the  
17 telephone service account of any resident of this State.

18 (b) Subsection (a) does not apply to:

19 (1) any disclosure of customer proprietary network  
20 information that is authorized by: (A) law or regulation;

21 (B) an order of any agency having regulatory authority over  
22 a telecommunications carrier; or (C) the telephone service  
23 accountholder; or

24 (2) any disclosure of customer proprietary network  
25 information required by a subpoena, warrant, or other  
26 lawful process.

27 Section 15. Violation. A person who knowingly violates this  
28 Act commits a Class A misdemeanor and also commits an unlawful  
29 practice within the meaning of Section 2Z of the Consumer Fraud  
30 and Deceptive Business Practices Act.

1 Section 90. The Consumer Fraud and Deceptive Business  
2 Practices Act is amended by changing Section 2Z as follows:

3 (815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

4 Sec. 2Z. Violations of other Acts. Any person who knowingly  
5 violates the Automotive Repair Act, the Automotive Collision  
6 Repair Act, the Home Repair and Remodeling Act, the Dance  
7 Studio Act, the Physical Fitness Services Act, the Hearing  
8 Instrument Consumer Protection Act, the Illinois Union Label  
9 Act, the Job Referral and Job Listing Services Consumer  
10 Protection Act, the Travel Promotion Consumer Protection Act,  
11 the Credit Services Organizations Act, the Automatic Telephone  
12 Dialers Act, the Pay-Per-Call Services Consumer Protection  
13 Act, the Telephone Solicitations Act, the Illinois Funeral or  
14 Burial Funds Act, the Cemetery Care Act, the Safe and Hygienic  
15 Bed Act, the Pre-Need Cemetery Sales Act, the High Risk Home  
16 Loan Act, the Payday Loan Reform Act, subsection (a) or (b) of  
17 Section 3-10 of the Cigarette Tax Act, the Payday Loan Reform  
18 Act, subsection (a) or (b) of Section 3-10 of the Cigarette Use  
19 Tax Act, the Electronic Mail Act, paragraph (6) of subsection  
20 (k) of Section 6-305 of the Illinois Vehicle Code, Article 3 of  
21 the Residential Real Property Disclosure Act, the Customer  
22 Proprietary Network Information Protection Act, the Automatic  
23 Contract Renewal Act, or the Personal Information Protection  
24 Act commits an unlawful practice within the meaning of this  
25 Act.

26 (Source: P.A. 93-561, eff. 1-1-04; 93-950, eff. 1-1-05; 94-13,  
27 eff. 12-6-05; 94-36, eff. 1-1-06; 94-280, eff. 1-1-06; 94-292,  
28 eff. 1-1-06; revised 8-19-05.)