



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3152

Introduced 2/18/2025, by Rep. David Friess

SYNOPSIS AS INTRODUCED:

New Act

Creates the General Assembly Privacy Act. Provides that government agencies shall not publicly post or display publicly available content that includes a member of the General Assembly's personal information, provided that the government agency has received a written request from the member. Prohibits a person, business, or association from soliciting, selling, or trading on the Internet a members's personal information with the intent to pose an imminent and serious threat to the health and safety of the member's immediate family. Allows for civil damages of not less than \$10,000. Makes it a Class 3 felony to knowingly post personal information of the member's immediate family, if the person knows or reasonably should know the posting poses an imminent and serious threat to the health and safety of the member or the member's immediate family, and the posting is a proximate cause of bodily injury or death of the member or the member's immediate family.

LRB104 08889 SPS 18944 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Article 1. GENERAL PROVISIONS

5 Section 1-1. Short title. This Act may be cited as the
6 General Assembly Privacy Act.

7 Section 1-5. Definitions. As used in this Act:

8 "Government agency" includes all agencies, authorities,
9 boards, commissions, departments, institutions, offices, and
10 any other bodies politic and corporate of the State created by
11 the constitution or statute, whether in the executive,
12 judicial, or legislative branch; all units and corporate
13 outgrowths created by executive order of the Governor or any
14 constitutional officer, by the Supreme Court, or by resolution
15 of the General Assembly; or agencies, authorities, boards,
16 commissions, departments, institutions, offices, and any other
17 bodies politic and corporate of a unit of local government, or
18 school district.

19 "Home address" includes a member's permanent residence and
20 any secondary residences affirmatively identified by the
21 member, but does not include a member's work address.

22 "Immediate family" includes a member's spouse, child,

1 parent, or any blood relative of the member or the member's
2 spouse who lives in the same residence.

3 "Member" means a member of the Illinois General Assembly.

4 "Personal information" means a home address, home
5 telephone number, mobile telephone number, pager number,
6 personal email address, social security number, federal tax
7 identification number, checking and savings account numbers,
8 credit card numbers, marital status, and identity of children
9 under the age of 18.

10 "Publicly available content" means any written, printed,
11 or electronic document or record that provides information or
12 that serves as a document or record maintained, controlled, or
13 in the possession of a government agency that may be obtained
14 by any person or entity, from the Internet, from the
15 government agency upon request either free of charge or for a
16 fee, or in response to a request under the Freedom of
17 Information Act.

18 "Publicly post" or "publicly display" means to communicate
19 to another or otherwise make available to the general public.

20 "Written request" means written notice signed by a member
21 or a representative of the member's employer requesting a
22 government agency, person, business, or association to refrain
23 from posting or displaying publicly available content that
24 includes the member's personal information.

25

Article 5. CIVIL PROVISIONS

1 Section 5-1. Publicly posting or displaying a member's
2 personal information by government agencies.

3 (a) Government agencies shall not publicly post or display
4 publicly available content that includes a member's personal
5 information, provided that the government agency has received
6 a written request in accordance with Section 5-5 that it
7 refrain from disclosing the member's personal information.
8 After a government agency has received a written request, that
9 agency shall remove the member's personal information from
10 publicly available content within 5 business days. After the
11 government agency has removed the member's personal
12 information from publicly available content, the agency shall
13 not publicly post or display the information and the member's
14 personal information shall be exempt from the Freedom of
15 Information Act unless the government agency has received
16 consent from the member to make the personal information
17 available to the public.

18 (b) Redress. If a government agency fails to comply with a
19 written request to refrain from disclosing personal
20 information, the member may bring an action seeking injunctive
21 or declaratory relief in any court of competent jurisdiction.

22 Section 5-5. Publicly posting a member's personal
23 information on the Internet by persons, businesses, and
24 associations.

1 (a) Prohibited Conduct.

2 (1) All persons, businesses, and associations shall
3 refrain from publicly posting or displaying on the
4 Internet publicly available content that includes a
5 member's personal information, provided that the member
6 has made a written request to the person, business, or
7 association that it refrain from disclosing the personal
8 information.

9 (2) No person, business, or association shall solicit,
10 sell, or trade on the Internet a member's personal
11 information with the intent to pose an imminent and
12 serious threat to the health and safety of the member or
13 the member's immediate family.

14 (3) This subsection includes, but is not limited to,
15 Internet phone directories, Internet search engines,
16 Internet data aggregators, and Internet service providers.

17 (b) Required Conduct.

18 (1) After a person, business, or association has
19 received a written request from a member to protect the
20 privacy of the member's personal information, that person,
21 business, or association shall have 72 hours to remove the
22 personal information from the Internet.

23 (2) After a person, business, or association has
24 received a written request from a member, that person,
25 business, or association shall ensure that the member's
26 personal information is not made available on any website

1 or subsidiary website controlled by that person, business,
2 or association.

3 (3) After receiving a member's written request, no
4 person, business, or association shall transfer the
5 member's personal information to any other person,
6 business, or association through any medium.

7 (c) Redress. A member whose personal information is made
8 public as a result of a violation of this Act may bring an
9 action seeking injunctive or declaratory relief in any court
10 of competent jurisdiction. If the court grants injunctive or
11 declaratory relief, the person, business, or association
12 responsible for the violation shall be required to pay the
13 member's costs and reasonable attorney's fees.

14 Section 5-10. Procedure for completing a written request.

15 (a) Requirement that a member make a written request. No
16 government agency, person, business, or association shall be
17 found to have violated any provision of this Act if the member
18 fails to submit a written request calling for the protection
19 of the member's personal information.

20 (b) Written request procedure. A written request shall be
21 valid if the member, or an agent of the member, sends a written
22 request directly to a government agency, person, business, or
23 association.

24 (c) A representative of the member may submit a written
25 request on the member's behalf, provided that the member gives

1 written consent to the representative and provided that the
2 representative agrees to furnish a copy of that consent when a
3 written request is made. The representative shall submit the
4 written request as provided in subsection (b).

5 (d) Information to be included in the written request. A
6 member's written request shall specify what personal
7 information shall be maintained private.

8 If a member wishes to identify a secondary residence as a
9 home address, the designation shall be made in the written
10 request.

11 A member shall disclose the identity of the member's
12 immediate family and indicate that the personal information of
13 these family members shall also be excluded to the extent that
14 it could reasonably be expected to reveal the personal
15 information of the member.

16 (e) Duration of the written request. A member's written
17 request is valid until the member provides the government
18 agency, person, business, or association with written
19 permission to release the private information. A member's
20 written request expires on death.

21 Article 10. CRIMINAL PROVISIONS

22 Section 10-1. Unlawful publication of personal
23 information. It is unlawful for any person to knowingly
24 publicly post on the Internet the personal information of the

1 member's immediate family if the person knows or reasonably
2 should know that publicly posting the personal information
3 poses an imminent and serious threat to the health and safety
4 of the member's immediate family, and the violation is a
5 proximate cause of bodily injury or death of the member or the
6 member's immediate family. A person who violates this Section
7 is guilty of a Class 3 felony.

8 Section 10-5. Exceptions for employees of government
9 agencies. Provided that the employee of a government agency
10 has complied with the conditions set forth in Article 5, it is
11 not a violation of Section 10-1 if an employee of a government
12 agency publishes personal information, in good faith, on the
13 website of the government agency in the ordinary course of
14 carrying out public functions.

15 Article 15. MISCELLANEOUS

16 Section 15-1. Construction. This Act and any rules adopted
17 to implement this Act shall be construed broadly to favor the
18 protection of the personal information of members.

19 Section 15-5. Severability. If any part of this Act or its
20 application to any person or circumstance is adjudged invalid,
21 such adjudication or application shall not affect the validity
22 of this Act as a whole or of any other part.