

SB2051



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2051

Introduced 2/6/2025, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

740 ILCS 14/10
740 ILCS 14/25

Amends the Biometric Information Privacy Act. Provides that nothing in the Act may be construed to apply to an entity using vehicle safety technology for a vehicle safety purpose.

LRB104 10585 JRC 20661 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Biometric Information Privacy Act is
5 amended by changing Sections 10 and 25 as follows:

6 (740 ILCS 14/10)

7 Sec. 10. Definitions. In this Act:

8 "Biometric identifier" means a retina or iris scan,
9 fingerprint, voiceprint, or scan of hand or face geometry.
10 Biometric identifiers do not include writing samples, written
11 signatures, photographs, human biological samples used for
12 valid scientific testing or screening, demographic data,
13 tattoo descriptions, or physical descriptions such as height,
14 weight, hair color, or eye color. Biometric identifiers do not
15 include donated organs, tissues, or parts as defined in the
16 Illinois Anatomical Gift Act or blood or serum stored on
17 behalf of recipients or potential recipients of living or
18 cadaveric transplants and obtained or stored by a federally
19 designated organ procurement agency. Biometric identifiers do
20 not include biological materials regulated under the Genetic
21 Information Privacy Act. Biometric identifiers do not include
22 information captured from a patient in a health care setting
23 or information collected, used, or stored for health care

1 treatment, payment, or operations under the federal Health
2 Insurance Portability and Accountability Act of 1996.
3 Biometric identifiers do not include an X-ray, roentgen
4 process, computed tomography, MRI, PET scan, mammography, or
5 other image or film of the human anatomy used to diagnose,
6 prognose, or treat an illness or other medical condition or to
7 further validate scientific testing or screening.

8 "Biometric information" means any information, regardless
9 of how it is captured, converted, stored, or shared, based on
10 an individual's biometric identifier used to identify an
11 individual. Biometric information does not include information
12 derived from items or procedures excluded under the definition
13 of biometric identifiers.

14 "Confidential and sensitive information" means personal
15 information that can be used to uniquely identify an
16 individual or an individual's account or property. Examples of
17 confidential and sensitive information include, but are not
18 limited to, a genetic marker, genetic testing information, a
19 unique identifier number to locate an account or property, an
20 account number, a PIN number, a pass code, a driver's license
21 number, or a social security number.

22 "Electronic signature" means an electronic sound, symbol,
23 or process attached to or logically associated with a record
24 and executed or adopted by a person with the intent to sign the
25 record.

26 "Private entity" means any individual, partnership,

1 corporation, limited liability company, association, or other
2 group, however organized. A private entity does not include a
3 State or local government agency. A private entity does not
4 include any court of Illinois, a clerk of the court, or a judge
5 or justice thereof.

6 "Vehicle safety purpose" means the purpose of promoting
7 driver, occupant, and roadway safety, including providing
8 warnings or alerts to drivers regarding distraction, fatigue,
9 or other safety-related events, including, but not limited to,
10 wearing a seatbelt, detecting pedestrians, and vehicle
11 occupants.

12 "Vehicle safety technology" means a system used for a
13 vehicle safety purpose in which the input is images of the
14 inside or outside of a vehicle and the output is a prediction
15 of a safety-related event, and the system may temporarily
16 collect, use or process biometric identifiers to make
17 predictions, as long as any such biometric identifier is not
18 retained longer than reasonably necessary to satisfy a vehicle
19 safety purpose or used to identify an individual.

20 "Written release" means informed written consent,
21 electronic signature, or, in the context of employment, a
22 release executed by an employee as a condition of employment.

23 (Source: P.A. 103-769, eff. 8-2-24.)

24 (740 ILCS 14/25)

25 Sec. 25. Construction.

1 (a) Nothing in this Act shall be construed to impact the
2 admission or discovery of biometric identifiers and biometric
3 information in any action of any kind in any court, or before
4 any tribunal, board, agency, or person.

5 (b) Nothing in this Act shall be construed to conflict
6 with the X-Ray Retention Act, the federal Health Insurance
7 Portability and Accountability Act of 1996 and the rules
8 promulgated under either Act.

9 (c) Nothing in this Act shall be deemed to apply in any
10 manner to a financial institution or an affiliate of a
11 financial institution that is subject to Title V of the
12 federal Gramm-Leach-Bliley Act of 1999 and the rules
13 promulgated thereunder.

14 (d) Nothing in this Act shall be construed to conflict
15 with the Private Detective, Private Alarm, Private Security,
16 Fingerprint Vendor, and Locksmith Act of 2004 and the rules
17 promulgated thereunder.

18 (e) Nothing in this Act shall be construed to apply to a
19 contractor, subcontractor, or agent of a State agency or local
20 unit of government when working for that State agency or local
21 unit of government.

22 (f) Nothing in this Act shall be construed to apply to an
23 entity using vehicle safety technology for a vehicle safety
24 purpose, as long as any biometric identifier is not retained
25 longer than is reasonably necessary to satisfy a vehicle
26 safety purpose and is not used to identify any individual.

SB2051

- 5 -

LRB104 10585 JRC 20661 b

1 (Source: P.A. 95-994, eff. 10-3-08.)