

September 22, 2017

To the Honorable Members of  
The Illinois House of Representatives,  
100th General Assembly:

Today I veto House Bill 3449 from the 100th General Assembly, which would add an unnecessary and byzantine layer of state regulation to the use of most electronic devices by mandating additional prohibitions and penalties.

Protection of consumer privacy is an important goal that I fully support, but this legislation only serves to make things unnecessarily complicated where federal privacy regulations are the proper format for uniform and consistent consumer protections across the country.

The Federal Trade Commission (FTC) already has the broad powers granted to it in Federal Statute 15 U.S.C. §§46 (a) to protect various aspects of consumer privacy in a uniform manner across the United States, and the commerce clause in the Constitution assigns the power to regulate interstate commerce to the U.S. Congress. If further privacy legislation is required, it should be enacted by the U.S. House and U.S. Senate. In addition to federal legal protections, consumers already have full control of geolocation data capture in their device settings through most operating systems, or by limiting access within specific applications they choose to utilize on their devices. Consumers also have the freedom to demand software products with more protective terms and End User License Agreements.

To the degree that there is company abuse of these laws and policies, such as tracking people without their consent or hiding collection and disclosure practices, the solution is not yet another layer of state government rules and bureaucracy, but instead the enforcement by the Federal Trade Commission of existing laws or enforcement of existing policies by creators and distributors of digital applications.

This bill would result in job loss across the state without materially improving privacy protections for Illinoisans or making devices and their apps safer for children. The addition of this policy to Illinois' existing burden of red tape will hurt Illinois' growing reputation as a destination for innovation-based job creation.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3449 entitled "AN ACT concerning business", with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner  
GOVERNOR