



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB0291

by Rep. David McSweeney

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/49-7 new

Amends the Criminal Code of 2012. Provides that a person commits improper disclosure of location information of a public official or human service provider when he or she knowingly obtains and discloses to any other person the location information of a public official or human service provider. Provides that a person commits improper disclosure of personal information of a public official or human service provider when he or she knowingly obtains and discloses to any other person the personal information of a public official or human service provider. Provides that improper disclosure of location information of a public official or human service provider is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense. Provides that improper disclosure of personal information of a public official or human service provider is a Class 4 felony for a first offense and a Class 3 felony for a second or subsequent offense. Provides that is not a violation to disclose the business address or place of work of a public official or human service provider. Defines terms.

LRB101 04584 SLF 49592 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by adding  
5 Section 49-7 as follows:

6 (720 ILCS 5/49-7 new)

7 Sec. 49-7. Improper disclosure of personal or location  
8 information of a public official or human service provider.

9 (a) In this Section:

10 "Human service provider" has same meaning ascribed to  
11 the term in Section 12-9 of this Code.

12 "Location information" means information about a  
13 person's physical whereabouts, including, but not limited  
14 to, the home address, home telephone number, cellular  
15 telephone number, or e-mail address of that person.

16 "Personal information" means either of the following:

17 (1) A person's first name or first initial and last  
18 name in combination with any one or more of the  
19 following data elements, when either the name or the  
20 data elements are not encrypted or redacted or are  
21 encrypted or redacted but the keys to unencrypt or  
22 unredact or otherwise read the name or data elements  
23 have been acquired without authorization through the

1 breach of security:

2 (A) Social Security number;

3 (B) driver's license number or State  
4 identification card number;

5 (C) account number or credit or debit card  
6 number, or an account number or credit card number  
7 in combination with any required security code,  
8 access code, or password that would permit access  
9 to an individual's financial account;

10 (D) medical information;

11 (E) health insurance information; or

12 (F) unique biometric data generated from  
13 measurements or technical analysis of human body  
14 characteristics used by the owner or licensee to  
15 authenticate an individual, such as a fingerprint,  
16 retina or iris image, or other unique physical  
17 representation or digital representation of  
18 biometric data.

19 (2) User name or email address, in combination with  
20 a password or security question and answer that would  
21 permit access to an online account, when either the  
22 user name or email address or password or security  
23 question and answer are not encrypted or redacted or  
24 are encrypted or redacted but the keys to unencrypt or  
25 unredact or otherwise read the data elements have been  
26 obtained through the breach of security.

1           "Personal information" does not include publicly  
2           available information that is lawfully made available to  
3           the general public from federal, State, or local government  
4           records.

5           "Public official" has same meaning ascribed to the term  
6           in Section 12-9 of this Code.

7           (b) A person commits improper disclosure of location  
8           information of a public official or human service provider when  
9           he or she knowingly obtains and discloses to any other person  
10           the location information of a public official or human service  
11           provider.

12           (c) A person commits improper disclosure of personal  
13           information of a public official or human service provider when  
14           he or she knowingly obtains and discloses to any other person  
15           the personal information of a public official or human service  
16           provider.

17           (d) It is not a violation of this Section to disclose the  
18           business address or place of work of a public official or human  
19           service provider.

20           (e) Sentence. Improper disclosure of location information  
21           of a public official or human service provider is a Class A  
22           misdemeanor for a first offense and a Class 4 felony for a  
23           second or subsequent offense. Improper disclosure of personal  
24           information of a public official or human service provider is a  
25           Class 4 felony for a first offense and a Class 3 felony for a  
26           second or subsequent offense.