



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB4439**

Introduced 1/16/2024, by Rep. Edgar Gonzalez, Jr.

#### SYNOPSIS AS INTRODUCED:

5 ILCS 177/10  
5 ILCS 177/15 rep.

Amends the State Agency Web Site Act. Provides that State agency web sites may not use persistent (instead of permanent) cookies or other tracking software except in specific circumstances. Repeals provisions establishing the Internet Privacy Task Force. Makes conforming changes.

LRB103 35198 AWJ 65177 b

1 AN ACT concerning government.

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

4 Section 5. The State Agency Web Site Act is amended by  
5 changing Section 10 as follows:

6 (5 ILCS 177/10)

7 Sec. 10. Cookies and other invasive tracking programs.

8 (a) Except as otherwise provided in subsection (b), State  
9 agency Web sites may not use persistent ~~permanent~~ cookies or  
10 any other invasive tracking programs that monitor and track  
11 Web site viewing habits; however, a State agency Web site may  
12 use transactional cookies that facilitate business  
13 transactions.

14 (b) Persistent ~~Permanent~~ cookies used by State agency Web  
15 sites may be exempt from the prohibition in subsection (a) if  
16 they meet the following criteria:

17 (1) The use of persistent ~~permanent~~ cookies adds value  
18 to the user otherwise not available;

19 (2) The persistent ~~permanent~~ cookies are not used to  
20 monitor and track web site viewing habits unless all types  
21 of information collected and the State's use of that  
22 information add user value and are disclosed through a  
23 comprehensive online privacy statement.

1 ~~The Internet Privacy Task Force established under Section 15~~  
2 ~~shall define the exemption and limitations of this subsection~~  
3 ~~(b) in practice.~~

4 (Source: P.A. 93-117, eff. 1-1-04.)

5 (5 ILCS 177/15 rep.)

6 Section 10. The State Agency Web Site Act is amended by  
7 repealing Section 15.