

AN ACT concerning government.

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

Section 1. Short title. This Act may be cited as the Anti-registry Program Act.

Section 5. Definitions. As used in this Act:

"Agency" means any State or local government department, agency, division, commission, council, committee, board, or other body established by authority of a statute, ordinance, or executive order.

"Agent" means any person employed by or acting on behalf of an agency.

"Personal demographic information" means information concerning a person's race, color, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, military status, order of protection status, pregnancy, or unfavorable discharge from military service that can be used to contact, track, locate, identify, or reasonably infer the identity of, a specific individual.

"Registry program" means a public, private, or joint public-private initiative: (1) for which particular individuals or groups of individuals, designated on the basis

of their race, color, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, military status, order of protection status, pregnancy, or unfavorable discharge from military service, are required by law to register; and (2) whose primary purpose is to compile a list of individuals who fall within a demographic category identified by their race, color, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, military status, order of protection status, pregnancy, or unfavorable discharge from military service. "Registry program" does not include: (1) any initiative whose purpose is administration of services, benefits, contracts, or programs, including permits, licenses, and other regulatory programs; (2) the decennial census mandated by Article I, Section 2 of the United States Constitution; or (3) Selective Service registration as required under Chapter 49 of Title 50 of the United States Code.

Section 10. Prohibition on participation in registry programs.

(a) No agent or agency shall use any moneys, facilities, property, equipment, or personnel of the agency, or any personal demographic information in the agency's possession, to participate in or provide support in any manner for the creation, publication, or maintenance of a registry program.

(b) Notwithstanding any other law to the contrary, no agent or agency shall provide or disclose to any government authority personal demographic information that is not otherwise publicly available regarding any individual that is requested for the purpose of: (1) creating a registry program; or (2) requiring registration of persons in a registry program. No agent or agency shall make available personal demographic information that is not otherwise publicly available from any agency database for such purposes, including any database maintained by a private vendor under contract with the agency.

Section 15. Construction.

(a) Nothing in this Act prohibits an agent or agency from sending to, or receiving from, any local, State, or federal agency, aggregate information concerning personal demographic information in any case in which such information cannot be used to identify individual persons.

(b) Nothing in this Act prohibits an agent or agency from sending to, or receiving from, a federal agency charged with enforcement of federal immigration law information regarding an individual's citizenship or immigration status, lawful or unlawful. For purposes of this Act, "information regarding an individual's citizenship or immigration status, lawful or unlawful" shall be interpreted consistently with Section 1373 of Title 8 of the United States Code. This subsection (b) shall no longer be effective if a court of competent jurisdiction

declares Section 1373 of Title 8 of the United States Code unconstitutional.

(c) Nothing in this Act prohibits an agent or agency from creating or maintaining a database that contains personal demographic information where such information is collected for purposes of complying with anti-discrimination laws or laws regarding the administration of public benefits, or for purposes of ensuring agency programs adequately serve their respective communities, or where the agency collects this information to administer or ensure equal access to agency services, benefits, contracts, and programs, or for the purpose of tax administration by the Department of Revenue, or the information is contained within personnel files kept in the ordinary course of business. For the purposes of this subsection (c), "programs" includes permits, licenses, and other regulatory programs.