



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB3488

Introduced 2/16/2018, by Sen. John J. Cullerton

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Anti-registry Program Act. Provides that no agent or agency shall use any moneys, facilities, property, equipment, or personnel of the agency to participate in or provide support in any manner for the creation, publication, or maintenance of a registry program. Provides that no agent or agency shall provide or disclose to any government authority personal demographic information 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. Provides that no agent or agency shall make available personal demographic information from any agency database, including any database maintained by a private vendor under contract with the agency. Provides provisions regarding the construction and interpretation of the Act. Defines terms.

LRB100 20676 RJF 36129 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 1. Short title. This Act may be cited as the  
5 Anti-registry Program Act.

6 Section 5. Definitions. As used in this Act:

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

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

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

21 "Registry program" means a public, private, or joint  
22 public-private initiative intended to create a compilation of  
23 personal demographic information stored in any form. "Registry

1 program" does not include the decennial census mandated by  
2 Section 2 of Article I of the United States Constitution.

3 Section 10. Prohibition on participation in registry  
4 programs.

5 (a) No agent or agency shall use any moneys, facilities,  
6 property, equipment, or personnel of the agency to participate  
7 in or provide support in any manner for the creation,  
8 publication, or maintenance of a registry program.

9 (b) Notwithstanding any other law to the contrary, no agent  
10 or agency shall provide or disclose to any government authority  
11 personal demographic information regarding any individual that  
12 is requested for the purpose of: (1) creating a registry  
13 program; or (2) requiring registration of persons in a registry  
14 program. No agent or agency shall make available personal  
15 demographic information from any agency database for such  
16 purposes, including any database maintained by a private vendor  
17 under contract with the agency.

18 Section 15. Construction.

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

24 (b) Nothing in this Act prohibits an agent or agency from

1 sending to, or receiving from, a federal agency charged with  
2 enforcement of federal immigration law information regarding  
3 an individual's citizenship or immigration status, lawful or  
4 unlawful. For purposes of this Act, "information regarding an  
5 individual's citizenship or immigration status, lawful or  
6 unlawful" shall be interpreted consistently with Section 1373  
7 of Title 8 of the United States Code. This subsection (b) shall  
8 no longer be effective if a court of competent jurisdiction  
9 declares Section 1373 of Title 8 of the United States Code  
10 unconstitutional.

11 (c) Nothing in this Act prohibits an agent or agency from  
12 creating or maintaining a database that contains personal  
13 demographic information where such information is collected  
14 for purposes of complying with anti-discrimination laws or laws  
15 regarding the administration of public benefits, or for  
16 purposes of ensuring agency programs adequately serve their  
17 respective communities, or where the agency collects this  
18 information to administer or ensure equal access to agency  
19 services, benefits, contracts, and programs. For the purposes  
20 of this subsection (c), "programs" includes permits, licenses,  
21 and other regulatory programs.