

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: (1) for which particular
23 individuals or groups of individuals, designated on the basis

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

19 Section 10. Prohibition on participation in registry
20 programs.

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

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

11 Section 15. Construction.

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

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

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

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