



Sen. Cristina Castro

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1 AMENDMENT TO SENATE BILL 1719

2 AMENDMENT NO. _____. Amend Senate Bill 1719 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Keep
5 Internet Devices Safe Act.

6 Section 5. Definitions. In this Act:

7 "Digital device" means an Internet-connected device that
8 contains a microphone, such as a smartphone, tablet,
9 television, computer, car, toy, or home appliance.

10 "Microphone" means an instrument capable of detecting
11 sound waves.

12 "Private entity" means any partnership, corporation,
13 liability company, association, organization or other group,
14 regardless of organizational structure, or any agent thereof.

15 "Private entity" does not include a state or local government
16 agency.

1 Section 10. Use of a digital device's microphone.

2 (a) No private entity may turn on or enable a digital
3 device's microphone unless the registered account holder or
4 another user that is setting up or configuring the device first
5 agrees to the following information in a consumer agreement or
6 privacy notice notifying the registered account holder:

7 (1) that the microphone in the digital device will be
8 turned on or enabled:

9 (2) what command or action will turn on or enable the
10 microphone;

11 (3) the categories of sounds the microphone will be
12 listening for, recording, or disclosing; and

13 (4) the categories of third parties to which the sounds
14 may be disclosed.

15 (b) The manufacturer of a digital device that does not
16 cause to be turned on or otherwise use a digital device's
17 microphone is not subject to this Section.

18 Section 15. Security measures. A private entity that
19 records and transmits any personally identifiable information
20 collected through the digital device's microphone concerning a
21 registered account holder shall implement and maintain
22 reasonable security measures to protect that personally
23 identifiable information from unauthorized access,
24 acquisition, destruction, use, modification, and disclosure.

1 Section 20. Enforcement. The Attorney General shall have
2 exclusive authority to enforce this Act. Nothing in this Act
3 shall be construed to modify, limit, or supersede the operation
4 of any privacy or security provision in any other Illinois law
5 or prevent a party from otherwise seeking relief under the Code
6 of Civil Procedure.

7 Section 25. Waiver void. Any waiver of the provisions of
8 this Act is void and unenforceable. Any agreement created or
9 modified after the effective date of this Act that does not
10 comply with this Act is void and unenforceable.".