

SB2523



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2523

Introduced 1/28/2020, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

75 ILCS 70/1

from Ch. 81, par. 1201

Amends the Library Records Confidentiality Act. Provides that information that a library may not publish or make public include a patron's personal identifiable information. Defines "personal identifiable information". Provides that a privacy violation or breach of confidentiality will not have occurred if a library publishes or makes public personal identifiable information with the documented consent of the patron.

LRB101 16617 AWJ 66001 b

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Library Records Confidentiality Act is
5 amended by changing Section 1 as follows:

6 (75 ILCS 70/1) (from Ch. 81, par. 1201)

7 Sec. 1. (a) The registration and circulation records of a
8 library are confidential information. No person shall publish
9 or make any information, including, but not limited to, a
10 patron's personal identifiable information, contained in such
11 records available to the public unless:

12 (1) required to do so under a court order; or

13 (2) the information is requested by a sworn law
14 enforcement officer who represents that it is impractical
15 to secure a court order as a result of an emergency where
16 the law enforcement officer has probable cause to believe
17 that there is an imminent danger of physical harm. The
18 information requested must be limited to identifying a
19 suspect, witness, or victim of a crime. The information
20 requested without a court order may not include the
21 disclosure of registration or circulation records that
22 would indicate materials borrowed, resources reviewed, or
23 services used at the library. If requested to do so by the

1 library, the requesting law enforcement officer must sign a
2 form acknowledging the receipt of the information. A
3 library providing the information may seek subsequent
4 judicial review to assess compliance with this Section.

5 This subsection shall not alter any right to challenge the
6 use or dissemination of patron information that is otherwise
7 permitted by law.

8 (b) This Section does not prevent a library from publishing
9 or making available to the public reasonable statistical
10 reports regarding library registration and book circulation
11 where those reports are presented so that no individual is
12 identified therein.

13 (b-5) Nothing in this Section shall be construed as a
14 privacy violation or a breach of confidentiality if a library:
15 provides information to a law enforcement officer under item
16 (2) of subsection (a); or publishes or makes public personal
17 identifiable information with the documented consent of the
18 patron.

19 (c) For the purpose of this Section, (i) "library" means
20 any public library or library of an educational, historical or
21 eleemosynary institution, organization or society; (ii)
22 "registration records" includes any information a library
23 requires a person to provide in order for that person to become
24 eligible to borrow books and other materials; ~~and~~ (iii)
25 "circulation records" includes all information identifying the
26 individual borrowing particular books or materials; and (iv)

1 "personal identifiable information" means one or more of the
2 following: a patron's complete last and first name, address,
3 internet protocol address, social security number, complete
4 telephone number, or email address that directly identifies an
5 individual.

6 (Source: P.A. 95-40, eff. 1-1-08.)