



Sen. Bill Cunningham

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10200SB1607sam002

LRB102 15852 LNS 24661 a

1 AMENDMENT TO SENATE BILL 1607

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1607 on page 1,  
3 line 5, by replacing "Section 10" with "Sections 10 and 25";  
4 and

5 on page 3, directly below line 16, by inserting the following:

6 "(740 ILCS 14/25)

7 Sec. 25. Construction.

8 (a) Nothing in this Act shall be construed to impact the  
9 admission or discovery of biometric identifiers and biometric  
10 information in any action of any kind in any court, or before  
11 any tribunal, board, agency, or person.

12 (b) Nothing in this Act shall be construed to conflict  
13 with the X-Ray Retention Act, the federal Health Insurance  
14 Portability and Accountability Act of 1996 and the rules  
15 promulgated under either Act.

16 (c) Nothing in this Act shall be deemed to apply in any

1 manner to a financial institution or an affiliate of a  
2 financial institution that is subject to Title V of the  
3 federal Gramm-Leach-Bliley Act of 1999 and the rules  
4 promulgated thereunder.

5 (d) Nothing in this Act shall be construed to conflict  
6 with the Private Detective, Private Alarm, Private Security,  
7 Fingerprint Vendor, and Locksmith Act of 2004 and the rules  
8 promulgated thereunder.

9 (e) Nothing in this Act shall be construed to apply to a  
10 contractor, subcontractor, or agent of a State agency or local  
11 unit of government when working for that State agency or local  
12 unit of government.

13 (f) Nothing in this Act shall be construed to apply to any  
14 health care employer, as defined in the Health Care Worker  
15 Background Check Act, that: (1) hires an employee pursuant to  
16 the Health Care Worker Background Check Act and the employee  
17 has submitted to a fingerprint-based criminal history records  
18 check; (2) uses and stores biometric information or biometric  
19 identifiers exclusively for employment, human resources,  
20 compliance, payroll, identification, authentication, safety,  
21 security, or fraud prevention purposes; (3) does not sell,  
22 lease, or trade the biometric information or biometric  
23 identifiers collected; and (4) maintains and follows a  
24 documented process to delete any biometric information or  
25 biometric identifier used for the purposes identified in this  
26 subsection.

1 (Source: P.A. 95-994, eff. 10-3-08.)".