



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3516

Introduced 2/9/2024, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.1015 new
815 ILCS 530/55 new

Amends the Personal Information Protection Act. Provides that, annually, on or before January 31, a data broker operating in the State shall register with the Attorney General. Provides that, in registering with the Attorney General, a data broker shall pay a registration fee in an amount determined by the Attorney General and shall also provide specified information. Provides that the Attorney General shall create a page on its Internet website where the registration information shall be made accessible to the public. Provides for civil penalties. Provides that all moneys received by the Attorney General under the provisions shall be deposited into the Data Broker Registry Fund to offset all reasonable costs of enforcing the registration requirements and establishing and maintaining the Internet website. Amends the State Finance Act to create the Data Broker Registry Fund.

LRB103 36578 SPS 66687 b

1 AN ACT concerning business.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.1015 as follows:

6 (30 ILCS 105/5.1015 new)

7 Sec. 5.1015. The Data Broker Registry Fund.

8 Section 10. The Personal Information Protection Act is
9 amended by adding Section 55 as follows:

10 (815 ILCS 530/55 new)

11 Sec. 55. Data broker registry.

12 (a) As used in this Section, "data broker" means a
13 business that knowingly collects and sells to third parties
14 the personal information of a consumer with whom the business
15 does not have a direct relationship. "Data broker" does not
16 include:

17 (1) an entity to the extent that it is covered by the
18 federal Fair Credit Reporting Act (15 U.S.C. 1681 et
19 seq.); and

20 (2) an entity to the extent that it is covered by the
21 Gramm-Leach-Bliley Act (Public Law 106-102) and its

1 implementing regulations.

2 (b) Annually, on or before January 31, a data broker
3 operating in this State shall register with the Attorney
4 General.

5 (c) In registering with the Attorney General, a data
6 broker shall pay a registration fee in an amount determined by
7 the Attorney General, not to exceed the reasonable costs of
8 establishing and maintaining the informational Internet
9 website described in Section 60. A data broker shall also
10 provide the following information:

11 (1) the name of the data broker and its primary
12 physical, email, and Internet website addresses;

13 (2) whether the data broker collects the personal
14 information of minors;

15 (3) whether the data broker collects consumers'
16 precise geolocation;

17 (4) whether the data broker collects consumers'
18 reproductive health care data;

19 (5) a link to a page on the data broker's Internet
20 website that does not make use of any dark patterns;

21 (6) whether, and to what extent, the data broker or
22 any of its subsidiaries is regulated by any of the
23 following:

24 (A) the federal Fair Credit Reporting Act (15
25 U.S.C. 1681 et seq.); and

26 (B) the Gramm-Leach-Bliley Act (Public Law

1 106-102) and its implementing regulations; and
2 (7) any additional information or explanation the data
3 broker chooses to provide concerning its data collection
4 practices.

5 (d) The Attorney General shall create a page on its
6 Internet website where the registration information provided
7 in subsection (c) shall be made accessible to the public.

8 (e) A data broker that fails to register as required by
9 this Section shall be liable for civil penalties and costs in
10 an action brought by the Attorney General as follows:

11 (1) a civil penalty of \$200 for each day the data
12 broker fails to register as required by this Section;

13 (2) an amount equal to the fees that were due during
14 the period it failed to register; and

15 (3) expenses incurred by the Attorney General in the
16 investigation and administration of the action as the
17 court deems appropriate.

18 (f) All moneys received by the Attorney General under this
19 Section shall be deposited into the Data Broker Registry Fund,
20 a special fund created in the State treasury, and shall be
21 used, subject to appropriation and as directed by the Attorney
22 General, to offset all reasonable costs of enforcing the
23 registration requirements described in subsection (c) and
24 establishing and maintaining the Internet website in
25 subsection (d).