



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3747

Introduced 2/9/2024, by Sen. Jason Plummer

SYNOPSIS AS INTRODUCED:

New Act

Creates the Secure Telecommunications Act of 2024. Provides that all critical telecommunications infrastructure located within or serving the State shall be constructed so as not to include any equipment manufactured by a federally banned corporation or any equipment banned at the federal level. Provides that all critical telecommunications infrastructure located within or serving the State shall be constructed so as not to include any equipment manufactured in or by a foreign adversary, a state-owned enterprise of a foreign adversary, or a company domiciled within a foreign adversary. Provides that the Illinois Commerce Commission shall establish a registration system for telecommunications providers. Provides for a registration fee. Sets forth requirements for registration of telecommunications providers. Provides for a civil penalty of not less than \$10,000 and not more than \$100,000 for any telecommunications provider who violates the Act or knowingly submits a false registration form. Provides that any telecommunications provider that fails to comply with a portion of the Act is prohibited from receiving any State or local funds, including funds from the Illinois Telecommunications Universal Service Fund, for the development or support of new or existing critical telecommunications infrastructure and is also prohibited from receiving any federal funds subject to distribution by State or local governments for the development or support of new or existing critical telecommunications infrastructure. Effective July 1, 2024.

LRB103 39055 CES 69192 b

1 AN ACT concerning regulation.

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 Secure
5 Telecommunications Act of 2024.

6 Section 5. Purpose. The purpose of this Act is to secure
7 the State's telecommunications grid and protect national
8 security by eliminating communications hardware and software
9 from Illinois' telecommunications grid that comes from
10 countries of concern and sanctioned entities.

11 Section 10. Definitions. In this Act:

12 "Critical telecommunications infrastructure" means all
13 physical broadband infrastructure and equipment that supports
14 the transmission of information of a user's choosing,
15 regardless of the transmission medium or technology employed,
16 that connects to a network that permits the end user to engage
17 in communications, including, but not limited to, service
18 provided directly to the public or to such classes of users as
19 to be effectively available directly to the public.

20 "Federally banned corporation" means any company or
21 designated equipment currently banned or at any point on or
22 after the effective date of this Act banned at the federal

1 level. These bans shall include bans resulting from, but not
2 limited to, actions taken by the following federal agencies or
3 under the following Acts:

4 (1) the Federal Communications Commission, including,
5 but not limited to, any equipment or service deemed to
6 pose a threat to national security identified on the
7 Covered List developed pursuant to 47 CFR 1.50002, as it
8 existed on the effective date of this Act and as is
9 published by the Public Safety and Homeland Security
10 Bureau of the Federal Communications Commission pursuant
11 to the federal Secure and Trust Communications Networks
12 Act of 2019, 47 U.S.C. 1601 et seq., as that Act existed on
13 the effective date of this Act;

14 (2) the U.S. Commerce Department;

15 (3) the U.S. Cybersecurity and Infrastructure Security
16 Agency;

17 (4) the Federal Acquisition Security Council; and

18 (5) Section 889 of the John S. McCain National Defense
19 Authorization Act (NDAA) for Fiscal Year 2019 (P.L.
20 115-232).

21 "Foreign adversary" means the People's Republic of China,
22 the Russian Federation, the Islamic Republic of Iran, the
23 Democratic People's Republic of Korea, the Republic of Cuba,
24 the Venezuelan regime of Nicolas Maduro, or the Syrian Arab
25 Republic, including any agent of or any other entity under
26 significant control of such foreign country of concern, or any

1 other entity deemed a foreign adversary by the Governor in
2 consultation with the Illinois Commerce Commission.

3 "Telecommunications provider" means any corporation,
4 public or private, which operates any system which supports
5 the transmission of information of a user's choosing,
6 regardless of the transmission medium or technology employed,
7 that connects to a network that permits the end user to engage
8 in communications, including, but not limited to, service
9 provided directly to the public or to such classes of users as
10 to be effectively available directly to the public.

11 Section 15. Prohibitions.

12 (a) All critical telecommunications infrastructure located
13 within or serving the State shall be constructed not to
14 include any equipment manufactured by a federally banned
15 corporation, nor any equipment banned at the federal level.

16 (b) All critical telecommunications infrastructure located
17 within or serving the State shall be constructed not to
18 include any equipment manufactured in or by, including any
19 equipment whose critical or necessary components are
20 manufactured in or by, a foreign adversary, a state-owned
21 enterprise of a foreign adversary, or a company domiciled
22 within a foreign adversary.

23 (c) All critical telecommunications infrastructure in
24 operation within or serving the State, to include any critical
25 telecommunications infrastructure which is not permanently

1 disabled, shall have all equipment prohibited by subsection
2 (a) or (b) replaced with equipment that is not prohibited by
3 subsection (a) or (b).

4 (d) Any telecommunications provider that removes,
5 discontinues, or replaces any prohibited telecommunications
6 equipment or service shall not be required to obtain any
7 additional permits from any State agency or political
8 subdivision for the removal, discontinuance, or replacement of
9 such communications equipment or service as long as the State
10 agency or political subdivision is properly notified of the
11 necessary replacements and the replacement communications
12 equipment is similar to the existing communications equipment.

13 (e) The Commission shall impose against any person who
14 violates this Section a civil penalty of not less than \$10,000
15 and not more than \$100,000 per day of noncompliance.

16 Section 20. Illinois Commerce Commission registration and
17 enforcement.

18 (a) Any telecommunications provider providing service in
19 Illinois shall file a registration form with, and pay a
20 registration fee to, the Illinois Commerce Commission by
21 September 1, 2024, and then on January 1 every year
22 thereafter. Any communications provider shall register with
23 the Commission prior to providing service. The Commission
24 shall prescribe the registration form to be filed pursuant to
25 this Section.

1 (b) A telecommunications provider shall provide the
2 Illinois Commerce Commission with the name, address, telephone
3 number, and email address of a person with managerial
4 responsibility for the Illinois operations.

5 (c) A telecommunications provider shall:

6 (1) submit a registration fee at the time of
7 submission of the registration form. The Illinois Commerce
8 Commission shall set the fee in an amount sufficient to
9 cover the costs of administering the registration process
10 but not to exceed \$50;

11 (2) keep the information required by this Section
12 current and notify the Commission of any changes to such
13 information within 60 days after the change; and

14 (3) certify to the Commission by January 1 each year
15 that all critical telecommunications equipment and
16 infrastructure within its operation does not use or
17 provide any communications equipment or service covered
18 under Section 3.

19 (d) The Commission shall impose against any provider that
20 knowingly submits a false registration form under this Section
21 a civil penalty of not less than \$10,000 and not more than
22 \$100,000 per day of noncompliance.

23 (e) Any telecommunications provider that fails to comply
24 with this Section is prohibited from receiving any State or
25 local funds for the development or support of new or existing
26 critical telecommunications infrastructure, including the

1 Illinois Telecommunications Universal Service Fund, and is
2 prohibited from receiving any federal funds subject to
3 distribution by State or local governments for the development
4 or support of new or existing critical telecommunications
5 infrastructure.

6 Section 97. Severability. The provisions of this Act are
7 severable under Section 1.31 of the Statute on Statutes.

8 Section 99. Effective date. This Act takes effect July 1,
9 2024.