

1 AN ACT concerning State agencies.

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
5 State Agency Web Site Act.

6 Section 5. Definitions. As used in this Act:

7 "Cookie" means a set of computer data or instructions
8 that is placed on a consumer's computer by a Web site server
9 to collect or store information about the consumer.

10 "State agencies" has the meaning given to that term in
11 Section 1-7 of the Illinois State Auditing Act.

12 Section 10. Cookies and other invasive tracking
13 programs.

14 (a) Except as otherwise provided in subsection (b),
15 State agency Web sites may not use permanent cookies or any
16 other invasive tracking programs that monitor and track Web
17 site viewing habits; however, a State agency Web site may use
18 transactional cookies that facilitate business transactions.

19 (b) Permanent cookies used by State agency Web sites may
20 be exempt from the prohibition in subsection (a) if they meet
21 the following criteria:

22 (1) The use of permanent cookies adds value to the
23 user otherwise not available;

24 (2) The permanent cookies are not used to monitor
25 and track web site viewing habits unless all types of
26 information collected and the State's use of that
27 information add user value and are disclosed through a
28 comprehensive online privacy statement.

29 The Internet Privacy Task Force established under Section 15
30 shall define the exemption and limitations of this subsection

1 (b) in practice.

2 Section 15. Internet Privacy Task Force.

3 (a) The Internet Privacy Task Force, consisting of 17
4 members, is established. The members shall be appointed as
5 follows: 2 each by the Speaker of the House of
6 Representatives, the House Minority Leader, the Senate
7 President, and the Senate Minority Leader; and 9 by the
8 Governor. The Governor's appointees shall include both
9 professionals in the area of computer and Internet technology
10 and laypersons. The members of the Task Force shall select a
11 chairperson. Members of the Task Force shall receive no
12 compensation but shall be reimbursed for necessary expenses
13 incurred in the performance of their duties.

14 (b) The Task Force shall explore the technical and
15 procedural changes that are needed in the State's computing
16 environment to ensure that visits to State Web sites remain
17 private. The Task Force shall identify the threats to privacy
18 from browsers, search engines, Web servers, Internet service
19 providers, and State agencies and make recommendations as
20 needed. If needed, the Task Force shall devise procedures for
21 creating or installing computer programs on State host
22 computers that will disable cookies and other invasive
23 programs.

24 (c) The Task Force shall submit reports to the Governor
25 and the General Assembly by December 31 of each year.