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LRB094 06000 DRH 39378 a

1 AMENDMENT TO HOUSE BILL 487

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 487 on page 1, line  
3 1, by replacing "transportation" with "identification"; and

4 on page 1, below line 3, by inserting the following:

5 "Section 3. The Illinois Identification Card Act is amended  
6 by adding Section 14D as follows:

7 (15 ILCS 335/14D new)

8 Sec. 14D. Limitations on use of identification card  
9 information.

10 (a) When information is obtained from an identification  
11 card issued by the Secretary of State to identify or prove the  
12 age of the holder of the card, or in the course of a commercial  
13 transaction, that information may be used only for purposes of  
14 identification of the individual or for completing the  
15 commercial transaction in which the information was obtained.  
16 Information obtained from an identification card issued by the  
17 Secretary of State may not be used for purposes unrelated to  
18 the transaction in which it was obtained, including, but not  
19 limited to, commercial solicitations. Information obtained  
20 from an identification card issued by the Secretary of State to  
21 identify or prove the age of the holder of the card, or in the  
22 course of a commercial transaction, may not be sold, leased or  
23 otherwise provided to any third party.

1       (b) As used in this Section, "information" on an  
2 identification card issued by the Secretary of State includes  
3 readable text on the face of the card and information encoded  
4 or encrypted into a bar code, magnetic strip, or other  
5 electronically readable device on or in the card.

6       (c) Any individual whose identification card information  
7 has been used in violation of this Section has a cause of  
8 action against the person who violated this Section. Upon a  
9 finding that a violation did occur, the individual whose  
10 information was used in violation of this Section is entitled  
11 to recover actual damages, but not less than liquidated damages  
12 in the amount of \$250 for each violation, plus attorney's fees  
13 and the costs of bringing the action.

14       (d) Use of information contained on an identification card  
15 issued by the Secretary of State is not a violation of this  
16 Section if the individual whose information has been used gave  
17 express permission for that use, or if the information relating  
18 to the individual was obtained from a source other than the  
19 individual's identification card issued by the Secretary of  
20 State.

21       (e) This Section does not apply to any agency of the United  
22 States or to the State of Illinois or any of its political  
23 subdivisions."; and

24       on page 1, line 26, by replacing "\$250 for" with "actual  
25 damages, but not less than liquidated damages in the amount of  
26 \$250 for".