



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2558

Introduced 1/20/2006, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

New Act
815 ILCS 505/2XX new

Creates the Identity Document Protection Act. Provides that no identity document created, mandated, or issued by the State, a unit of local government, or a school district may contain a contactless integrated circuit that can broadcast personal information or enable personal information to be scanned remotely. Exempts the Toll Highway Authority I-Pass system. Limits the concurrent exercise of home rule powers. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a retailer may not offer for sale or sell any article that has a contactless integrated circuit attached to it without notifying the consumer and affording the consumer the opportunity to have the circuit removed at no charge to the consumer.

LRB094 18754 HLH 54136 b

HOME RULE NOTE
ACT MAY APPLY

1 AN ACT concerning personal information.

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 Identity Document Protection Act.

6 Section 5. Contactless integrated circuits. No identity
7 document created, mandated, or issued the State, by a unit of
8 local government, including a home rule unit, or a school
9 district may contain a contactless integrated circuit that can
10 broadcast personal information or enable personal information
11 to be scanned remotely.

12 For the purposes of this Act, "contactless integrated
13 circuit" means a data carrying unit, such as an integrated
14 circuit or computer chip, that can be read remotely.

15 This Section does not apply to the I-Pass system of the
16 Illinois State Toll Highway Authority.

17 Section 10. Home rule. A home rule unit may not regulate
18 identity documents in a manner that is inconsistent with the
19 regulation by the State of identity documents under this Act.
20 This Section is a limitation under subsection (i) of Section 6
21 of Article VII of the Illinois Constitution on the concurrent
22 exercise by home rule units of powers and functions exercised
23 by the State.

24 Section 90. The Consumer Fraud and Deceptive Business
25 Practices Act is amended by adding Section 2XX as follows:

26 (815 ILCS 505/2XX new)

27 Sec. 2XX. Contactless integrated circuits.

28 (a) It shall be an unlawful practice under this Act for a
29 retailer to offer for sale or sell any article that has a

1 contactless integrated circuit attached to the article,
2 unless:

3 (1) the consumer is notified of the existence of the
4 contactless integrated circuit; and

5 (2) the consumer is afforded the opportunity to have
6 the contactless integrated circuit removed at no charge to
7 the consumer.

8 (b) For the purposes of this Section, "contactless
9 integrated circuit" means a data carrying unit, such as an
10 integrated circuit or computer chip, that can be read remotely.