



Sen. Linda Holmes

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10100SB0585sam001

LRB101 04347 AWJ 58515 a

1 AMENDMENT TO SENATE BILL 585

2 AMENDMENT NO. _____. Amend Senate Bill 585 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Library Records Confidentiality Act is
5 amended by changing Section 1 and by adding Section 5 as
6 follows:

7 (75 ILCS 70/1) (from Ch. 81, par. 1201)

8 Sec. 1. (a) The registration and circulation records of a
9 library are confidential information. No person shall publish
10 or make any information contained in such records available to
11 the public unless:

12 (1) required to do so under a court order; or

13 (2) the information is requested by a sworn law
14 enforcement officer who represents that it is impractical
15 to secure a court order as a result of an emergency where
16 the law enforcement officer has probable cause to believe

1 that there is an imminent danger of physical harm. The
2 information requested must be limited to identifying a
3 suspect, witness, or victim of a crime. The information
4 requested without a court order may not include the
5 disclosure of registration or circulation records that
6 would indicate materials borrowed, resources reviewed, or
7 services used at the library. If requested to do so by the
8 library, the requesting law enforcement officer must sign a
9 form acknowledging the receipt of the information. A
10 library providing the information may seek subsequent
11 judicial review to assess compliance with this Section.

12 This subsection shall not alter any right to challenge the
13 use or dissemination of patron information that is otherwise
14 permitted by law.

15 (a-5) A library may not put any part of a patron's last
16 name on material that has been reserved by a patron to check
17 out if the material can be viewed by other persons in the
18 library.

19 (b) This Section does not prevent a library from publishing
20 or making available to the public reasonable statistical
21 reports regarding library registration and book circulation
22 where those reports are presented so that no individual is
23 identified therein.

24 (b-5) Nothing in this Section shall be construed as a
25 privacy violation or a breach of confidentiality if a library
26 provides information to a law enforcement officer under item

1 (2) of subsection (a).

2 (c) For the purpose of this Section, (i) "library" means
3 any public library or library of an educational, historical or
4 eleemosynary institution, organization or society; (ii)
5 "registration records" includes any information a library
6 requires a person to provide in order for that person to become
7 eligible to borrow books and other materials and (iii)
8 "circulation records" includes all information identifying the
9 individual borrowing particular books or materials.

10 (Source: P.A. 95-40, eff. 1-1-08.)

11 (75 ILCS 70/5 new)

12 Sec. 5. Violations. A person or entity that violates any
13 provision of this Act commits a petty offense for which a fine
14 of \$100 may be imposed for each violation."