

# HB0742



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB0742**

Introduced 2/6/2009, by Rep. Kathleen A. Ryg

#### SYNOPSIS AS INTRODUCED:

740 ILCS 14/35 new

Amends the Biometric Information Privacy Act. Creates the Biometric Information Privacy Study Committee to examine: the use of biometric identifiers, information, and technology used by the State and local governments and report on current policies, procedures, and practices used by governmental entities to protect against unauthorized disclosure of information; best practices; and issues. Provides the Committee's report and recommendations shall be submitted to the General Assembly before December 31, 2010. Provides that members of the Committee shall serve without compensation but may be reimbursed for reasonable travel expenses.

LRB096 04446 AJO 14497 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Biometric Information Privacy Act is amended  
5 by adding Section 35 as follows:

6 (740 ILCS 14/35 new)

7 Sec. 35. Biometric Information Privacy Study Committee.

8 (a) There is created the Biometric Information Privacy  
9 Study Committee, hereafter referred to as the Committee,  
10 consisting of 17 members appointed as follows:

11 (1) One member representing the Senate, appointed by  
12 the President of the Senate;

13 (2) One member representing the Senate, appointed by  
14 the Minority Leader of the Senate;

15 (3) One member representing the House, appointed by the  
16 Speaker of the House of Representatives;

17 (4) One member representing the House, appointed by the  
18 Minority Leader of the House of Representatives;

19 (5) One member representing the interests of the State  
20 executive branch including, but not limited to, the  
21 Department of Central Management Services, State Board of  
22 Education, Illinois Commerce Commission, and Department of  
23 Revenue, appointed by the Governor;

1           (6) One member, who shall serve as the chair of the  
2           Committee, representing the Office of the Attorney  
3           General, appointed by the Attorney General;

4           (7) One member representing the Office of the Secretary  
5           of State, appointed by the Secretary of State;

6           (8) One member representing the Department of Human  
7           Services, appointed by the Secretary of the Department of  
8           Human Services;

9           (9) One member representing law enforcement, appointed  
10          by the Director of State Police;

11          (10) One member representing the interests of jails and  
12          prisons, appointed by the Director of Corrections;

13          (11) One member representing the interests of small  
14          municipalities, appointed by the chair of the Committee;

15          (12) One member representing the interests of large  
16          municipalities, appointed by the chair of the Committee;

17          (13) One member representing the interests of public  
18          hospitals, appointed by the chair of the Committee;

19          (14) One member representing the interests of  
20          government employees, appointed by the chair of the  
21          Committee;

22          (15) One member with expertise in biometric  
23          technology, appointed by the chair of the Committee;

24          (16) One member with expertise in information  
25          technology and privacy law, appointed by the chair of the  
26          Committee; and

1           (17) One member representing the interests of the civil  
2           liberties community, appointed by the chair of the  
3           Committee.

4           (b) The Committee shall examine the use of biometric  
5           identifiers, biometric information, and biometric technology  
6           used by State and local governments in Illinois and report to  
7           the General Assembly on their use. The report shall include:

8                   (1) current policies, procedures, and practices used  
9                   by State and local governments to protect against the  
10                   unauthorized disclosure of biometric identifiers and  
11                   biometric information held by State or local governments;

12                   (2) best practices used by State or local governments  
13                   to protect against unauthorized disclosures of biometric  
14                   identifiers and biometric information held by State or  
15                   local governments;

16                   (3) issues related to the collection, retention,  
17                   dissemination, destruction, cost, training, and  
18                   ramifications of biometric identifiers and biometric  
19                   information held by State and local governments; and

20                   (4) recommendations on technical and procedural  
21                   changes necessary to implement and enforce reasonable,  
22                   uniform biometric safeguards by State and local  
23                   governments.

24           (c) The Committee may begin to conduct business upon the  
25           appointment of a majority of its members. The Committee shall  
26           meet at least twice and at other times at the call of the

1 chair. The Committee may conduct meetings by telecommunication  
2 where possible to minimize travel expenses. Members of the  
3 Committee shall serve without compensation but remain eligible  
4 for reimbursement of reasonable travel expenses.

5 (d) The Committee shall hold public hearings as it deems  
6 necessary to receive testimony from the public regarding  
7 biometric identifiers, biometric information, and biometric  
8 technology used by State and local governments. The Committee  
9 shall present a report of its findings and recommendations to  
10 the General Assembly before December 31, 2010.