

HB2984



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2984

Introduced 2/6/2025, by Rep. Anne Stava-Murray

SYNOPSIS AS INTRODUCED:

740 ILCS 14/10

Amends the Biometric Information Privacy Act. Defines "biometric identifier" to include neural data. Defines "neural data" as information that is generated by the measurement of activity of an individual's central or peripheral nervous system, and that is not inferred from non-neural information.

LRB104 09768 JRC 19834 b

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
5 amended by changing Section 10 as follows:

6 (740 ILCS 14/10)

7 Sec. 10. Definitions. In this Act:

8 "Biometric identifier" means a retina or iris scan,
9 fingerprint, voiceprint, ~~or~~ scan of hand or face geometry, or
10 neural data. Biometric identifiers do not include writing
11 samples, written signatures, photographs, human biological
12 samples used for valid scientific testing or screening,
13 demographic data, tattoo descriptions, or physical
14 descriptions such as height, weight, hair color, or eye color.
15 Biometric identifiers do not include donated organs, tissues,
16 or parts as defined in the Illinois Anatomical Gift Act or
17 blood or serum stored on behalf of recipients or potential
18 recipients of living or cadaveric transplants and obtained or
19 stored by a federally designated organ procurement agency.
20 Biometric identifiers do not include biological materials
21 regulated under the Genetic Information Privacy Act. Biometric
22 identifiers do not include information captured from a patient
23 in a health care setting or information collected, used, or

1 stored for health care treatment, payment, or operations under
2 the federal Health Insurance Portability and Accountability
3 Act of 1996. Biometric identifiers do not include an X-ray,
4 roentgen process, computed tomography, MRI, PET scan,
5 mammography, or other image or film of the human anatomy used
6 to diagnose, prognose, or treat an illness or other medical
7 condition or to further validate scientific testing or
8 screening.

9 "Biometric information" means any information, regardless
10 of how it is captured, converted, stored, or shared, based on
11 an individual's biometric identifier used to identify an
12 individual. Biometric information does not include information
13 derived from items or procedures excluded under the definition
14 of biometric identifiers.

15 "Confidential and sensitive information" means personal
16 information that can be used to uniquely identify an
17 individual or an individual's account or property. Examples of
18 confidential and sensitive information include, but are not
19 limited to, a genetic marker, genetic testing information, a
20 unique identifier number to locate an account or property, an
21 account number, a PIN number, a pass code, a driver's license
22 number, or a social security number.

23 "Electronic signature" means an electronic sound, symbol,
24 or process attached to or logically associated with a record
25 and executed or adopted by a person with the intent to sign the
26 record.

1 "Neural data" means information that is generated by the
2 measurement of activity of an individual's central or
3 peripheral nervous system, and that is not inferred from
4 non-neural information.

5 "Private entity" means any individual, partnership,
6 corporation, limited liability company, association, or other
7 group, however organized. A private entity does not include a
8 State or local government agency. A private entity does not
9 include any court of Illinois, a clerk of the court, or a judge
10 or justice thereof.

11 "Written release" means informed written consent,
12 electronic signature, or, in the context of employment, a
13 release executed by an employee as a condition of employment.

14 (Source: P.A. 103-769, eff. 8-2-24.)