

# SB2897



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2897

Introduced 1/27/2026, by Sen. Celina Villanueva

#### SYNOPSIS AS INTRODUCED:

815 ILCS 530/5  
815 ILCS 530/45

Amends the Personal Information Protection Act. Provides that a data collector shall not own, maintain, license, store, or disclose records that contain immigration or citizenship status information concerning an Illinois resident. Provides that the provision shall not apply to government agencies, public and private universities, or financial institutions. Provides that the definition of "personal information" includes immigration or citizenship status information. Defines "immigration or citizenship status information".

LRB104 16891 SPS 30302 b

A BILL FOR

1 AN ACT concerning business.

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

4 Section 5. The Personal Information Protection Act is  
5 amended by changing Sections 5 and 45 as follows:

6 (815 ILCS 530/5)

7 Sec. 5. Definitions. In this Act:

8 "Data collector" may include, but is not limited to,  
9 government agencies, public and private universities,  
10 privately and publicly held corporations, financial  
11 institutions, retail operators, and any other entity that, for  
12 any purpose, handles, collects, disseminates, or otherwise  
13 deals with nonpublic personal information.

14 "Breach of the security of the system data" or "breach"  
15 means unauthorized acquisition of computerized data that  
16 compromises the security, confidentiality, or integrity of  
17 personal information maintained by the data collector. "Breach  
18 of the security of the system data" does not include good faith  
19 acquisition of personal information by an employee or agent of  
20 the data collector for a legitimate purpose of the data  
21 collector, provided that the personal information is not used  
22 for a purpose unrelated to the data collector's business or  
23 subject to further unauthorized disclosure.

1 "Health insurance information" means an individual's  
2 health insurance policy number or subscriber identification  
3 number, any unique identifier used by a health insurer to  
4 identify the individual, or any medical information in an  
5 individual's health insurance application and claims history,  
6 including any appeals records.

7 "Immigration or citizenship status information" means any  
8 information concerning: (i) the status of an individual's  
9 citizenship of the United States or any other country; or (ii)  
10 the legal right, or lack thereof, of an individual to reside in  
11 or otherwise to be present in the United States. "Immigration  
12 or citizenship status information" includes an individual's  
13 nationality and country of origin.

14 "Medical information" means any information regarding an  
15 individual's medical history, mental or physical condition, or  
16 medical treatment or diagnosis by a healthcare professional,  
17 including such information provided to a website or mobile  
18 application.

19 "Personal information" means either of the following:

20 (1) An individual's first name or first initial and  
21 last name in combination with any one or more of the  
22 following data elements, when either the name or the data  
23 elements are not encrypted or redacted or are encrypted or  
24 redacted but the keys to unencrypt or unredact or  
25 otherwise read the name or data elements have been  
26 acquired without authorization through the breach of

1 security:

2 (A) Social Security number.

3 (B) Driver's license number or State  
4 identification card number.

5 (C) Account number or credit or debit card number,  
6 or an account number or credit card number in  
7 combination with any required security code, access  
8 code, or password that would permit access to an  
9 individual's financial account.

10 (D) Medical information.

11 (E) Health insurance information.

12 (F) Unique biometric data generated from  
13 measurements or technical analysis of human body  
14 characteristics used by the owner or licensee to  
15 authenticate an individual, such as a fingerprint,  
16 retina or iris image, or other unique physical  
17 representation or digital representation of biometric  
18 data.

19 (G) Immigration or citizenship status information.

20 (2) User name or email address, in combination with a  
21 password or security question and answer that would permit  
22 access to an online account, when either the user name or  
23 email address or password or security question and answer  
24 are not encrypted or redacted or are encrypted or redacted  
25 but the keys to unencrypt or unredact or otherwise read  
26 the data elements have been obtained through the breach of

1 security.

2 "Personal information" does not include publicly available  
3 information that is lawfully made available to the general  
4 public from federal, State, or local government records.

5 (Source: P.A. 99-503, eff. 1-1-17.)

6 (815 ILCS 530/45)

7 Sec. 45. Data security.

8 (a) A data collector that owns or licenses, or maintains  
9 or stores but does not own or license, records that contain  
10 personal information concerning an Illinois resident shall  
11 implement and maintain reasonable security measures to protect  
12 those records from unauthorized access, acquisition,  
13 destruction, use, modification, or disclosure.

14 (a-5) A data collector shall not own, maintain, license,  
15 store, or disclose records that contain immigration or  
16 citizenship status information concerning an Illinois  
17 resident. This subsection shall not apply to government  
18 agencies, public and private universities, or financial  
19 institutions.

20 (b) A contract for the disclosure of personal information  
21 concerning an Illinois resident that is maintained by a data  
22 collector must include a provision requiring the person to  
23 whom the information is disclosed to implement and maintain  
24 reasonable security measures to protect those records from  
25 unauthorized access, acquisition, destruction, use,

1 modification, or disclosure.

2 (c) If a state or federal law requires a data collector to  
3 provide greater protection to records that contain personal  
4 information concerning an Illinois resident that are  
5 maintained by the data collector and the data collector is in  
6 compliance with the provisions of that state or federal law,  
7 the data collector shall be deemed to be in compliance with the  
8 provisions of this Section.

9 (d) A data collector that is subject to and in compliance  
10 with the standards established pursuant to Section 501(b) of  
11 the Gramm-Leach-Bliley Act of 1999, 15 U.S.C. Section 6801,  
12 shall be deemed to be in compliance with the provisions of this  
13 Section.

14 (Source: P.A. 99-503, eff. 1-1-17.)