



Rep. Arthur Turner

**Filed: 4/19/2018**

10000HB1266ham001

LRB100 02974 AXK 38452 a

1 AMENDMENT TO HOUSE BILL 1266

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1266 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Student Online Personal Protection Act is  
5 amended by changing Section 25 as follows:

6 (105 ILCS 85/25)

7 Sec. 25. Operator actions that are not prohibited. This Act  
8 does not prohibit an operator from doing any of the following:

9 (1) Using covered information to improve educational  
10 products if that information is not associated with an  
11 identified student within the operator's site, service, or  
12 application or other sites, services, or applications  
13 owned by the operator.

14 (2) Using covered information that is not associated  
15 with an identified student to demonstrate the  
16 effectiveness of the operator's products or services,

1 including in their marketing.

2 (3) Sharing covered information that is not associated  
3 with an identified student for the development and  
4 improvement of educational sites, services, or  
5 applications.

6 (4) Using recommendation engines to recommend to a  
7 student either of the following:

8 (A) Additional content relating to an educational,  
9 other learning, or employment opportunity purpose  
10 within an online site, service, or application if the  
11 recommendation is not determined in whole or in part by  
12 payment or other consideration from a third party.

13 (B) Additional services relating to an  
14 educational, other learning, or employment opportunity  
15 purpose within an online site, service, or application  
16 if the recommendation is not determined in whole or in  
17 part by payment or other consideration from a third  
18 party.

19 (5) Responding to a student's request for information  
20 or for feedback without the information or response being  
21 determined in whole or in part by payment or other  
22 consideration from a third party.

23 (6) Identifying for a student, with the express,  
24 affirmative consent of the student or the student's parent  
25 or guardian, an institution of higher education or  
26 scholarship provider that is seeking a student who meets

1       certain criteria, regardless of whether the institution of  
2       higher education or scholarship provider provides the  
3       operator consideration.

4       (Source: P.A. 100-315, eff. 8-24-17.)

5       Section 99. Effective date. This Act takes effect upon  
6       becoming law.".