

HB5635 • Illinois

BIPA-SECURITY PURPOSES

Introduced

Risk: Medium

Amendment

Last Action (Feb 13, 2024): Added Chief Co-Sponsor Rep. Dan Ugaste

Summary

HB5635 amends the Biometric Information Privacy Act, altering definitions and consent requirements for biometric data collection, especially for security purposes.

Business Impact

If you collect biometric data for security, inform subjects initially and comply with deletion rules to avoid legal action.

Key Provisions

- Redefines 'biometric identifier' and 'written release' (Sec. 10).
- Introduces definitions for 'biometric lock', 'biometric time clock', and 'security purpose' (Sec. 10).
- Allows initial consent for repeated biometric data collection (Sec. 15).
- Waives certain requirements for biometric data collection for security purposes (Sec. 15).
- Establishes a one-year right of action for aggrieved individuals (Sec. 20).
- Requires 30 days notice to the private entity before legal action (Sec. 20).

Compliance Checklist

- Inform subjects of biometric data collection during initial collection only | Who: Private entities collecting biometric data | Penalty: Legal action for violations
- Provide notice of violations to private entities | Who: Aggrieved individuals | Penalty: Loss of right to action if not notified

Industries Affected

Topics

AI Privacy

Bill Sponsors

Name	Party	Role
Jeff Keicher	R	Sponsor
Dan Ugaste	R	Sponsor

Related Bills

- HB4692 (IL)
- HB2335 (IL)
- SB0602 (IL)
- SB3874 (IL)
- SB1506 (IL)

Official Source

<https://www.ilga.gov/legislation/BillStatus.asp?DocNum=5635&GAID;=17&DocTypeID;=HB&SessionID;=112&GA;=103>

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