

# Illinois

## 815 ILCS §§ 530/1 to 530/25

### Quick Links

[Statute](#)

[AG Website](#)

### Quick Facts

Is “Personal Information” broader than the general definition? <sup>1</sup>	✓ Yes
Does the law apply to paper records?	✗ No
Is notification triggered by access only?	✗ No
Is a risk-of-harm analysis permitted?	✗ No
Is notice to a state agency or AG required?	✓ Yes, if notifying 500 or more residents, attorney general must be notified not later than when affected individuals are notified
Is there a specific deadline for individual notices?	✗ No
Is there a specific format or language that must be included in the individual notice?	✓ Yes
Is notice to consumer reporting agency?	✗ No
Is a private right of action permitted?	✓ Yes

### “Breach” Definition

The unauthorized acquisition of computerized personal information.

### “Personal Information” Definition

1. A person’s first initial and last name along with the person’s:
  - a. Social security number
  - b. Driver’s license or state identification card

<sup>1</sup> The general definition of “Personal Information” is an individual’s name in combination with any one or more of the following: (1) Social Security number; (2) driver’s license number or state identification card number; or (3) a financial account number or credit or debit card number in combination with any required security code, access code, or password that is necessary to permit access to an individual’s financial account.

- c. Account number, credit card number or debit card number, in combination with any security code, access code or password required to access the account
- d. Health insurance information
- e. Medical information; or
- f. Biometric data

Or

- 2. The username or e-mail address along with the password or security question answer that would permit access to an online account.

### **Notification Trigger**

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Following discovery or notification of the breach:

- 1. Entity that owns or license personal information shall notify Illinois residents in the most expedient time possible and without unreasonable delay.
- 2. Entity that only maintains or stores personal information shall notify the owner or licensee immediately

### **Risk-of-Harm Analysis Standard**

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N/A

### **Special Form/Content of Consumer Notice**

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Notice should include:

- 1. Toll-free numbers and address to consumer reporting agencies
- 2. Toll-free number, address, and website address for the FTC; and
- 3. A statement that the individual can obtain information from these sources about fraud alerts and security freezes.

If there has been a breach impacting individuals' login credentials, the notice must also direct the recipients to change their credentials or other appropriate steps.

Notifications may not contain information about the number of Illinois residents affected by the breach.

### **AG Notice Trigger/Deadline**

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Entities required to notify to more than 500 Illinois residents must also notify the attorney general in the most expedient time possible and without unreasonable delay, but not later than when affected individuals are notified.

Notice shall include a description of the breach, number of affected residents, and steps the entity took or plans to take relating to the incident.

### **Notification to Consumer Reporting Agencies Threshold**

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N/A