

[815 Ill. Comp. Stat. §§ 530/1 to 530/50](#)

Quick Facts

Breach Based on Harm Threshold	Deadline for Consumer Notice	Government Notification Required
NO	Most expedient time possible without unreasonable delay	NO

More Details

Scope of this Summary	Notification requirements applicable to commercial entities that own, license or maintain covered info. Some types of businesses may be exempt from some or all of these requirements and non-commercial entities may be subject to different requirements.
Covered Info	<p>First name or first initial and last name, plus: Social Security number; driver's license or state identification card number; account, credit or debit card number, or an account or credit card number in combination with any required information that would permit access to a resident's financial account; medical information; health insurance information; or unique biometric information.</p> <p>Covered info also includes username or email address plus a password or security question and answer that would permit access to an online account.</p>
Form of Covered Info	Electronic Only
Encryption Safe Harbor	Statute does not apply to information that is encrypted or redacted, so long as encryption key was not acquired.
Breach Defined	Unauthorized acquisition that compromises the security, confidentiality or integrity of the covered info, excluding certain good-faith acquisitions by employees or agents.
Consumer Notice	<p><u>Timing</u>: Must be made in the most expedient time possible and without unreasonable delay following discovery or notification of the breach, consistent with any measures to determine the scope of the breach and restore the reasonable integrity, security and confidentiality of the system.</p> <p><u>Content</u>: Notice must include the toll-free numbers and addresses for the CRAs; toll-free number, address and website for the FTC; and a statement that the resident can obtain information from these sources about fraud alerts and security freezes. If information permitting access to an online account is compromised, notice must include directions to change access credentials and/or other steps to protect all online accounts using the same credentials. The notice must not include information concerning the number of Illinois residents affected by the breach.</p> <p><u>Method</u>: By written notice or electronic notice if it is consistent with E-SIGN. Substitute notice is available if certain criteria are satisfied.</p>
Delayed Notice	Notification may be delayed if law enforcement determines notification will impede a criminal investigation and provides a written request for the delay.
Third-Party Notice	If you maintain covered info on behalf of another entity, you must notify them immediately following discovery of a breach and must cooperate in matters relating to the breach as specified in the statute.
Potential Penalties	Violations may result in civil penalties.

Last revised on May 30, 2018

This summary is for informational purposes only. It provides general information and not legal advice or opinions regarding specific facts. Additional requirements or conditions may apply to any or all provisions referenced herein. For more information about the state data breach notification laws or other data security matters, please seek the advice of counsel.

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