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Illinois Geolocation Privacy Bill Sponsor Seeking Veto Override



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By [Stephen Joyce](#)

Illinois [legislation](#) that would require companies to obtain consent before selling customer geolocation data may see new life, with its sponsor telling Bloomberg BNA Sept. 25 that she will work to override a recent veto. Rep. Ann Williams (D) is developing a strategy to try and override the Sept. 22 veto by Gov. Bruce Rauner (R), Carter Harms, Williams' chief of staff, told Bloomberg BNA. But an override will be difficult.

The Illinois Senate voted 33-22 to approve the bill (H.B. 3449) May 25. The state House approved it, 63-38, June 27. The three-fifths majority required for an override means the bill's supporters will need to pick up three votes in the Senate and eight in the House. The Legislature has scheduled two short sessions in October and November to consider vetoed legislation.

The Illinois Chamber of Commerce as well as e-commerce companies including Alphabet Inc.'s Google, eBay Inc., Expedia Inc., Facebook Inc., and Verisign Inc., as well as some trade groups representing large tech firms, opposed the legislation.

Rauner, in a statement, said adding the legislation "to Illinois' existing burden of red tape will hurt Illinois' growing reputation as a destination for innovation-based job creation." Rauner argued the bill would cost jobs without materially improving consumer protections.

The Chicago-based Digital Privacy Alliance, which supported the bill, is contemplating whether to push for an override or work for a new proposal, Jacob Wright, the organization's legislative director, told Bloomberg BNA.

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The bill, if ultimately enacted into law, would prohibit companies from collecting, disclosing, and storing mobile device application geolocation data unless they first receive affirmative consent from users and notify them of the collection's purpose. Under the bill, if a user downloaded an application to a smartphone, he or she would have to consent to the collection, or else be blocked from using the app or directed to lesser version that doesn't rely on full geolocation tracking.

Although opponents said the veto will help Illinois tech companies, some entrepreneurs and Illinois startups disagreed. Supporters said the privacy requirements would help differentiate small Illinois businesses that offer enhanced privacy protections from global internet companies that don't.

"The governor really isn't listening to small businesses in Chicago. He's listening to major multinationals in Silicon Valley," Matthew Erickson, SpiderOak vice president, told Bloomberg BNA. The bill would help small tech companies with their overarching concern of building trust with e-customers, said Erickson, whose Chicago-launched company provides encrypted backup file-sharing services.

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For More Information

Full text of the bill is available at <http://src.bna.com/sO8>.

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