

What is the Illinois Personal Information Protection Act?

The Illinois Personal Information Protection Act (HB 1633) requires businesses to notify individuals when a security breach results in their personal information being released to unauthorized parties. The Act specifies the notification steps businesses must follow in the event of a security breach. It came into effect January 1, 2006.

Who is affected?

This Act affects all individuals and businesses that conduct business in Illinois that store personal information of state residents. Personal Information is defined as the first name or initial and last name in combination with one or more of the following nonpublic unencrypted pieces of information: a social security number, a driver's license number or State identification card number, or a bank account, credit card or debit card number accompanied by the applicable passwords or security codes.

What does the Personal Information Protection Act have to do with information management?

According to the Act, Illinois businesses are responsible for the security of their computerized customer records. If companies experience a security breach and disclose personal information to unauthorized parties, they are responsible for notifying the affected individuals.

By monitoring and controlling the amount of customer data held on site in computerized form, businesses can reduce the risk of losing or otherwise releasing data to unauthorized parties. Computer backups containing personal information that are no longer needed should be disposed of securely. Similarly, other computerized mediums containing personal information, such as CDs computer disks, and hard drives should be destroyed once no longer needed.

What do companies have to do to comply with the Act?

Businesses must alert affected Illinois residents when personal information which is not publicly available is acquired by unauthorized parties. Methods for notifying affected individuals are outlined in the Act. If the cost of notifying affected individuals is more than \$250,000 or the number of affected individuals exceeds \$500,000, substitute notification methods may be followed.

A violation of the Act constitutes an unlawful practice under Illinois' Consumer Fraud and Deceptive Business Practices Act, which allows civil law suits for the recovery of actual and punitive damages as well as attorneys' fees.

How can we help?

As you develop your document disposal program in accordance with the Illinois Personal Information Protection Act, consider contracting Securit to handle your document destruction needs. Securit destroys all of your confidential materials, including computerized data such as CD-ROMs/CD-Rs/DVDs and computer backups. By providing locked consoles for your office, Securit makes it easy and efficient to destroy unnecessary copies of your customers' personal information. Securit destroys documents on site in our mobile shredding truck. Documents are shredded into confetti sized pieces and then recycled. For peace of mind, contact Securit today at 1 800 697-4733.

For more information:

Illinois Attorney General - <http://www.ag.state.il.us>

Illinois General Assembly - <http://www.ilga.gov/>

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