

## ILIC Legislative Committee – Call Summary

June 21, 2019

### **Data Privacy & Cybersecurity:**

With data privacy and cybersecurity issues becoming an increasingly larger policy focus for lawmakers, ILIC is seeking member input on how the Council can best advocate on behalf of the interests of its members in the forthcoming fall veto and 2020 spring session.

During the spring session, ILIC closely monitored [HB 3358 \(Turner/T. Cullerton\)](#), which created the Data Transparency and Privacy Act regulating the collection and use of consumer data. The provisions of the bill were amended in the House to include blanket entity-level exemptions for entities subject to HIPAA and GLBA. Several members of the Senate, however, expressed concern over the inclusion of blanket exemptions and preferred exemptions be specified at the transaction level. The bill was ultimately held to continue discussions with stakeholders over the summer.

[SB 2263 \(Harmon\)](#) has since been introduced outlining consumer rights and regulation of the collection and use of data. The provisions of the bill maintain exemptions for protected health information (under HIPAA) and personal data collected, processed, sold or disclosed pursuant to the GLBA if those actions are in compliance with the federal law.

Additionally, the General Assembly passed [SB 1624 \(Glowiak/Andrade\)](#) to update breach notification requirements to require AG notification of any breaches in excess of 500 IL residents. The provisions included an exemption for HIPAA-regulated entities, but not GLBA-regulated entities.

### **Next Steps:**

- ILIC will work with ACLI on draft legislation implementing the NAIC cybersecurity model law with ACLI revisions to pursue in the 2020 spring session pending Department support (ILIC will approach the Department about support). The provisions would include an exclusivity provision to supersede all other laws (including SB 1624 when it becomes law).
- ILIC will work with the ACLI to compile a list of applicable state and federal laws governing insurance protections of consumer data to help build an ongoing defense for maintaining entity-level exemptions in HB 3358 (or other forthcoming data privacy bills).
- ILIC will work with members to develop a list of alternative asks/measures that could gain our support should the entity-level exemptions be removed.

ILIC will schedule additional calls over the summer to continue discussions on this issue and our strategy moving forward.

*If anyone has any feedback on any specific bills or any questions, please do not hesitate in reaching out to Laura at [ilicminzer@gmail.com](mailto:ilicminzer@gmail.com) or Larry at [ilicbarry@gmail.com](mailto:ilicbarry@gmail.com).*