

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Agency Web Site Act is amended by
5 changing Section 10 as follows:

6 (5 ILCS 177/10)

7 Sec. 10. Cookies and other invasive tracking programs.

8 (a) Except as otherwise provided in subsection (b), State
9 agency Web sites may not use persistent ~~permanent~~ cookies or
10 any other invasive tracking programs that monitor and track
11 Web site viewing habits; however, a State agency Web site may
12 use transactional cookies that facilitate business
13 transactions.

14 (b) Persistent ~~Permanent~~ cookies used by State agency Web
15 sites may be exempt from the prohibition in subsection (a) if
16 they meet the following criteria:

17 (1) The use of persistent ~~permanent~~ cookies adds value
18 to the user otherwise not available;

19 (2) The persistent ~~permanent~~ cookies are not used to
20 monitor and track web site viewing habits unless all types
21 of information collected and the State's use of that
22 information add user value and are disclosed through a
23 comprehensive online privacy statement.

1 ~~The Internet Privacy Task Force established under Section 15~~
2 ~~shall define the exemption and limitations of this subsection~~
3 ~~(b) in practice.~~

4 (Source: P.A. 93-117, eff. 1-1-04.)

5 (5 ILCS 177/15 rep.)

6 Section 10. The State Agency Web Site Act is amended by
7 repealing Section 15.