



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3163

Introduced 2/18/2025, by Rep. Jaime M. Andrade, Jr.

SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5
775 ILCS 55/40 new

Amends the Reproductive Health Act. Provides that a health care professional who provides abortion-related care may submit to any governmental agency, person, business, or association a written request that the governmental agency, person, business, or association refrain from disclosing any personal information about the health care professional. Provides that if a governmental agency receives a written request from a health care professional, the governmental agency shall not publicly post or display publicly available content that includes any personal information of the health care professional. Exempts the personal information of the health care professional from the Freedom of Information Act. Provides that if a person, business, or association receives a written request from a health care professional, the person, business, or association shall refrain from publicly posting or displaying on the Internet publicly available content that includes the personal information of a health care professional. Provides that no person, business, or association shall solicit, sell, or trade any personal information of the health care professional with the intent to post an imminent or serious threat to the health and safety of the health care professional or the health care professional's immediate family. Allows a health care professional to bring an action against a governmental agency, person, business, or association, seeking injunctive or declaratory relief if a written request is violated. Provides that it is a Class 3 felony for any person to knowingly and publicly post on the Internet the personal information of a health care professional or the health care professional's immediate family if the person knows that publicly posting the personal information poses an imminent and serious threat to the health and safety of the health care professional or health care professional's immediate family, and the violation is a proximate cause of bodily injury or death of the health care professional or health care professional's immediate family member. Makes a conforming change in the Freedom of Information Act.

LRB104 08069 JRC 18115 b

A BILL FOR

1 AN ACT concerning human rights.

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

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 Sec. 7.5. Statutory exemptions. To the extent provided for
8 by the statutes referenced below, the following shall be
9 exempt from inspection and copying:

10 (a) All information determined to be confidential
11 under Section 4002 of the Technology Advancement and
12 Development Act.

13 (b) Library circulation and order records identifying
14 library users with specific materials under the Library
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical
17 records received by the Experimental Organ Transplantation
18 Procedures Board and any and all documents or other
19 records prepared by the Experimental Organ Transplantation
20 Procedures Board or its staff relating to applications it
21 has received.

22 (d) Information and records held by the Department of
23 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmitted
2 infection or any information the disclosure of which is
3 restricted under the Illinois Sexually Transmitted
4 Infection Control Act.

5 (e) Information the disclosure of which is exempted
6 under Section 30 of the Radon Industry Licensing Act.

7 (f) Firm performance evaluations under Section 55 of
8 the Architectural, Engineering, and Land Surveying
9 Qualifications Based Selection Act.

10 (g) Information the disclosure of which is restricted
11 and exempted under Section 50 of the Illinois Prepaid
12 Tuition Act.

13 (h) Information the disclosure of which is exempted
14 under the State Officials and Employees Ethics Act, and
15 records of any lawfully created State or local inspector
16 general's office that would be exempt if created or
17 obtained by an Executive Inspector General's office under
18 that Act.

19 (i) Information contained in a local emergency energy
20 plan submitted to a municipality in accordance with a
21 local emergency energy plan ordinance that is adopted
22 under Section 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution
24 of surcharge moneys collected and remitted by carriers
25 under the Emergency Telephone System Act.

26 (k) Law enforcement officer identification information

1 or driver identification information compiled by a law
2 enforcement agency or the Department of Transportation
3 under Section 11-212 of the Illinois Vehicle Code.

4 (l) Records and information provided to a residential
5 health care facility resident sexual assault and death
6 review team or the Executive Council under the Abuse
7 Prevention Review Team Act.

8 (m) Information provided to the predatory lending
9 database created pursuant to Article 3 of the Residential
10 Real Property Disclosure Act, except to the extent
11 authorized under that Article.

12 (n) Defense budgets and petitions for certification of
13 compensation and expenses for court appointed trial
14 counsel as provided under Sections 10 and 15 of the
15 Capital Crimes Litigation Act (repealed). This subsection
16 (n) shall apply until the conclusion of the trial of the
17 case, even if the prosecution chooses not to pursue the
18 death penalty prior to trial or sentencing.

19 (o) Information that is prohibited from being
20 disclosed under Section 4 of the Illinois Health and
21 Hazardous Substances Registry Act.

22 (p) Security portions of system safety program plans,
23 investigation reports, surveys, schedules, lists, data, or
24 information compiled, collected, or prepared by or for the
25 Department of Transportation under Sections 2705-300 and
26 2705-616 of the Department of Transportation Law of the

1 Civil Administrative Code of Illinois, the Regional
2 Transportation Authority under Section 2.11 of the
3 Regional Transportation Authority Act, or the St. Clair
4 County Transit District under the Bi-State Transit Safety
5 Act (repealed).

6 (q) Information prohibited from being disclosed by the
7 Personnel Record Review Act.

8 (r) Information prohibited from being disclosed by the
9 Illinois School Student Records Act.

10 (s) Information the disclosure of which is restricted
11 under Section 5-108 of the Public Utilities Act.

12 (t) (Blank).

13 (u) Records and information provided to an independent
14 team of experts under the Developmental Disability and
15 Mental Health Safety Act (also known as Brian's Law).

16 (v) Names and information of people who have applied
17 for or received Firearm Owner's Identification Cards under
18 the Firearm Owners Identification Card Act or applied for
19 or received a concealed carry license under the Firearm
20 Concealed Carry Act, unless otherwise authorized by the
21 Firearm Concealed Carry Act; and databases under the
22 Firearm Concealed Carry Act, records of the Concealed
23 Carry Licensing Review Board under the Firearm Concealed
24 Carry Act, and law enforcement agency objections under the
25 Firearm Concealed Carry Act.

26 (v-5) Records of the Firearm Owner's Identification

1 Card Review Board that are exempted from disclosure under
2 Section 10 of the Firearm Owners Identification Card Act.

3 (w) Personally identifiable information which is
4 exempted from disclosure under subsection (g) of Section
5 19.1 of the Toll Highway Act.

6 (x) Information which is exempted from disclosure
7 under Section 5-1014.3 of the Counties Code or Section
8 8-11-21 of the Illinois Municipal Code.

9 (y) Confidential information under the Adult
10 Protective Services Act and its predecessor enabling
11 statute, the Elder Abuse and Neglect Act, including
12 information about the identity and administrative finding
13 against any caregiver of a verified and substantiated
14 decision of abuse, neglect, or financial exploitation of
15 an eligible adult maintained in the Registry established
16 under Section 7.5 of the Adult Protective Services Act.

17 (z) Records and information provided to a fatality
18 review team or the Illinois Fatality Review Team Advisory
19 Council under Section 15 of the Adult Protective Services
20 Act.

21 (aa) Information which is exempted from disclosure
22 under Section 2.37 of the Wildlife Code.

23 (bb) Information which is or was prohibited from
24 disclosure by the Juvenile Court Act of 1987.

25 (cc) Recordings made under the Law Enforcement
26 Officer-Worn Body Camera Act, except to the extent

1 authorized under that Act.

2 (dd) Information that is prohibited from being
3 disclosed under Section 45 of the Condominium and Common
4 Interest Community Ombudsperson Act.

5 (ee) Information that is exempted from disclosure
6 under Section 30.1 of the Pharmacy Practice Act.

7 (ff) Information that is exempted from disclosure
8 under the Revised Uniform Unclaimed Property Act.

9 (gg) Information that is prohibited from being
10 disclosed under Section 7-603.5 of the Illinois Vehicle
11 Code.

12 (hh) Records that are exempt from disclosure under
13 Section 1A-16.7 of the Election Code.

14 (ii) Information which is exempted from disclosure
15 under Section 2505-800 of the Department of Revenue Law of
16 the Civil Administrative Code of Illinois.

17 (jj) Information and reports that are required to be
18 submitted to the Department of Labor by registering day
19 and temporary labor service agencies but are exempt from
20 disclosure under subsection (a-1) of Section 45 of the Day
21 and Temporary Labor Services Act.

22 (kk) Information prohibited from disclosure under the
23 Seizure and Forfeiture Reporting Act.

24 (ll) Information the disclosure of which is restricted
25 and exempted under Section 5-30.8 of the Illinois Public
26 Aid Code.

1 (mm) Records that are exempt from disclosure under
2 Section 4.2 of the Crime Victims Compensation Act.

3 (nn) Information that is exempt from disclosure under
4 Section 70 of the Higher Education Student Assistance Act.

5 (oo) Communications, notes, records, and reports
6 arising out of a peer support counseling session
7 prohibited from disclosure under the First Responders
8 Suicide Prevention Act.

9 (pp) Names and all identifying information relating to
10 an employee of an emergency services provider or law
11 enforcement agency under the First Responders Suicide
12 Prevention Act.

13 (qq) Information and records held by the Department of
14 Public Health and its authorized representatives collected
15 under the Reproductive Health Act.

16 (rr) Information that is exempt from disclosure under
17 the Cannabis Regulation and Tax Act.

18 (ss) Data reported by an employer to the Department of
19 Human Rights pursuant to Section 2-108 of the Illinois
20 Human Rights Act.

21 (tt) Recordings made under the Children's Advocacy
22 Center Act, except to the extent authorized under that
23 Act.

24 (uu) Information that is exempt from disclosure under
25 Section 50 of the Sexual Assault Evidence Submission Act.

26 (vv) Information that is exempt from disclosure under

1 subsections (f) and (j) of Section 5-36 of the Illinois
2 Public Aid Code.

3 (ww) Information that is exempt from disclosure under
4 Section 16.8 of the State Treasurer Act.

5 (xx) Information that is exempt from disclosure or
6 information that shall not be made public under the
7 Illinois Insurance Code.

8 (yy) Information prohibited from being disclosed under
9 the Illinois Educational Labor Relations Act.

10 (zz) Information prohibited from being disclosed under
11 the Illinois Public Labor Relations Act.

12 (aaa) Information prohibited from being disclosed
13 under Section 1-167 of the Illinois Pension Code.

14 (bbb) Information that is prohibited from disclosure
15 by the Illinois Police Training Act and the Illinois State
16 Police Act.

17 (ccc) Records exempt from disclosure under Section
18 2605-304 of the Illinois State Police Law of the Civil
19 Administrative Code of Illinois.

20 (ddd) Information prohibited from being disclosed
21 under Section 35 of the Address Confidentiality for
22 Victims of Domestic Violence, Sexual Assault, Human
23 Trafficking, or Stalking Act.

24 (eee) Information prohibited from being disclosed
25 under subsection (b) of Section 75 of the Domestic
26 Violence Fatality Review Act.

1 (fff) Images from cameras under the Expressway Camera
2 Act. This subsection (fff) is inoperative on and after
3 July 1, 2025.

4 (ggg) Information prohibited from disclosure under
5 paragraph (3) of subsection (a) of Section 14 of the Nurse
6 Agency Licensing Act.

7 (hhh) Information submitted to the Illinois State
8 Police in an affidavit or application for an assault
9 weapon endorsement, assault weapon attachment endorsement,
10 .50 caliber rifle endorsement, or .50 caliber cartridge
11 endorsement under the Firearm Owners Identification Card
12 Act.

13 (iii) Data exempt from disclosure under Section 50 of
14 the School Safety Drill Act.

15 (jjj) Information exempt from disclosure under Section
16 30 of the Insurance Data Security Law.

17 (kkk) Confidential business information prohibited
18 from disclosure under Section 45 of the Paint Stewardship
19 Act.

20 (lll) Data exempt from disclosure under Section
21 2-3.196 of the School Code.

22 (mmm) Information prohibited from being disclosed
23 under subsection (e) of Section 1-129 of the Illinois
24 Power Agency Act.

25 (nnn) Materials received by the Department of Commerce
26 and Economic Opportunity that are confidential under the

1 Music and Musicians Tax Credit and Jobs Act.

2 (ooo) ~~(nnn)~~ Data or information provided pursuant to
3 Section 20 of the Statewide Recycling Needs and Assessment
4 Act.

5 (ppp) ~~(nnn)~~ Information that is exempt from disclosure
6 under Section 28-11 of the Lawful Health Care Activity
7 Act.

8 (qqq) ~~(nnn)~~ Information that is exempt from disclosure
9 under Section 7-101 of the Illinois Human Rights Act.

10 (rrr) ~~(mmmm)~~ Information prohibited from being
11 disclosed under Section 4-2 of the Uniform Money
12 Transmission Modernization Act.

13 (sss) ~~(nnn)~~ Information exempt from disclosure under
14 Section 40 of the Student-Athlete Endorsement Rights Act.

15 (ttt) Information that is exempt from disclosure under
16 Section 40 of the Reproductive Health Act.

17 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
18 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
19 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
20 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
21 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
22 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;
23 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.
24 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,
25 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;
26 103-1049, eff. 8-9-24; revised 11-26-24.)

1 Section 10. The Reproductive Health Act is amended by
2 adding Section 40 as follows:

3 (775 ILCS 55/40 new)

4 Sec. 40. Health care professional privacy.

5 (a) A health care professional who provides
6 abortion-related care may submit to any governmental agency,
7 person, business, or association a written request that the
8 governmental agency, person, business, or association refrain
9 from disclosing any personal information about the health care
10 professional.

11 A representative from the health care professional's
12 employer may submit a written request on behalf of the health
13 care professional, if: (i) the health care professional gives
14 written consent to the representative; and (ii) the
15 representative agrees to furnish a copy of that consent when a
16 written request is made. The representative shall submit the
17 written request directly to a governmental agency, person,
18 business or association.

19 A written request is valid if the health care
20 professional, or representative of the health care
21 professional's employer, sends a written request directly to a
22 governmental agency, person, business, or association.

23 (b) The written request shall specify:

24 (1) what personal information of the health care

1 professional shall be maintained private;

2 (2) if a health care professional wishes to identify a
3 secondary residence as a home address, the designation of
4 such; and

5 (3) the identity of any immediate family, and any
6 personal information of those persons that shall be
7 excluded to the extent that it could reasonably be
8 expected to reveal the personal information of the health
9 care professional.

10 (c) A written request is valid until the health care
11 professional provides the governmental agency, person,
12 business, or association with written permission to release
13 the personal information. Otherwise, a written request from a
14 health care professional expires on death.

15 (d) If a governmental agency receives a written request
16 from a health care professional in accordance with subsections
17 (a) and (b), the governmental agency shall not publicly post
18 or display publicly available content that includes any
19 personal information of the health care professional. After
20 receipt of the request, the governmental agency shall remove
21 any personal information of the health care professional from
22 the publicly available content within 5 business days, and
23 shall not publicly post or display the personal information
24 unless the health care professional has given the governmental
25 agency written permission to release the personal information
26 as required under subsection (c). The personal information of

1 the health care professional is exempt from the Freedom of
2 Information Act unless the governmental agency receives
3 consent from the health care professional to make the personal
4 information available to the public.

5 (e) If a governmental agency fails to comply with a
6 written request under subsection (d), the health care
7 professional may bring an action seeking injunctive or
8 declaratory relief in any court of competent jurisdiction.

9 (f) If a person, business, or association receives a
10 written request from a health care professional in accordance
11 with subsections (a) and (b), the person, business, or
12 association shall refrain from publicly posting or displaying
13 on the Internet publicly available content that includes the
14 personal information of a health care professional. After
15 receipt of a written request, the person, business, or
16 association: (i) has 72 hours to remove the personal
17 information from the Internet; (ii) shall ensure that the
18 personal information of the health care professional is not
19 made available on any website or subsidiary website controlled
20 by that person, business, or association; and (iii) shall not
21 transfer the personal information of the health care
22 professional to any other person, business, or association
23 through any medium.

24 (g) No person, business, or association shall solicit,
25 sell, or trade on the Internet any personal information of the
26 health care professional with the intent to post an imminent

1 or serious threat to the health and safety of the health care
2 professional or the health care professional's immediate
3 family.

4 (h) A health care professional whose personal information
5 is made public as a result of a violation of subsection (f) or
6 (g) may bring an action seeking injunctive or declaratory
7 relief in any court of competent jurisdiction. A court shall
8 award a prevailing health care professional costs and
9 reasonable attorney's fees.

10 (i) No governmental agency, person, business, or
11 association shall be found to have violated any provision of
12 this Section if the health care professional fails to submit a
13 written request calling for the protection of the personal
14 information of the health care professional.

15 (j) It is unlawful for any person to knowingly and
16 publicly post on the Internet the personal information of a
17 health care professional or health care professional's
18 immediate family if the person knows that publicly posting the
19 personal information poses an imminent and serious threat to
20 the health and safety of the health care professional or
21 health care professional's immediate family, and the violation
22 is a proximate cause of bodily injury or death of the health
23 care professional or health care professional's immediate
24 family member. A person who violates this subsection is guilty
25 of a Class 3 felony.

26 (k) It is not a violation of subsection (j) if an employee

1 of a governmental agency publishes personal information, in
2 good faith, on the website of the governmental agency in the
3 ordinary course of carrying out public functions if the
4 employee complied with the conditions of this Section.

5 (l) This Section and any rules adopted to implement this
6 Section shall be construed broadly to favor the protection of
7 the personal information of a health care professional.

8 (m) As used in this Section:

9 "Governmental agency" means all agencies, authorities,
10 boards, commissions, departments, institutions, offices, and
11 any other bodies politic and corporate of this State created
12 by the constitution or statute, whether in the executive,
13 judicial, or legislative branch; all units and corporate
14 outgrowths created by executive order of the Governor or any
15 constitutional officer, by the Supreme Court, or by resolution
16 of the General Assembly; or agencies, authorities, boards,
17 commissions, departments, institutions, offices, and any other
18 bodies politic and corporate of a unit of local government, or
19 school district.

20 "Home address" means a permanent residence of the health
21 care professional and any secondary residences affirmatively
22 identified by the health care professional.

23 "Immediate family" means a spouse, child, parent, or any
24 blood relative of the health care professional or the spouse
25 of the health care representative who lives in the same
26 residence.

1 "Personal information" means a home address, home
2 telephone number, mobile telephone number, pager number,
3 personal email address, social security number, federal tax
4 identification number, checking and savings account numbers,
5 credit card numbers, marital status, and identity of children
6 under the age of 18.

7 "Publicly available content" means any written, printed,
8 or electronic document or record that provides information or
9 that serves as a document or record maintained, controlled, or
10 in the possession of a governmental agency that may be
11 obtained by any person or entity, from the Internet, from a
12 governmental agency upon request free of charge or for a fee,
13 or in response to a request under the Freedom of Information
14 Act.

15 "Publicly post" or "publicly display" means to communicate
16 to another or otherwise make available to the general public.

17 "Written request" means written notice signed by a health
18 care professional requesting a governmental agency, person,
19 business, or association to refrain from posting or displaying
20 publicly available content that includes the personal
21 information of the health care professional.