

AN ACT concerning business.

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

Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2000 as follows:

(815 ILCS 505/2000)

Sec. 2000. Criminal record information.

(a) It is an unlawful practice for any person engaged in publishing or otherwise disseminating criminal record information through a print or electronic medium to solicit or accept the payment of a fee or other consideration to remove, correct, or modify said criminal record information.

(b) For the purposes of this Section, "criminal record information" includes any and all of the following:

(1) descriptions or notations of any arrests, any formal criminal charges, and the disposition of those criminal charges, including, but not limited to, any information made available under Section 4a of the State Records Act or Section 3b of the Local Records Act;

(2) photographs of the person taken pursuant to an arrest or other involvement in the criminal justice system;  
or

(3) personal identifying information, including a

person's name, address, date of birth, photograph, and social security number or other government-issued identification number.

(c) A person or entity that publishes or otherwise disseminates for profit a person's criminal record information on a publicly available Internet website or in any other publication or criminal history report that charges a fee for removal or correction of the information must correct any errors in the individual's criminal history information within 5 business days after notification of an error. Failure to correct an error in the individual's criminal record information constitutes an unlawful practice within the meaning of this Act.

(d) A person whose criminal record information is published for profit on a publicly available Internet website or in any other publication that charges a fee for removal or correction of the information may demand the publisher to correct the information if the subject of the information, or his or her representative, sends a letter, via certified mail, to the publishing entity demanding the information be corrected and providing documentation of the correct information.

(e) Failure by a for-profit publishing entity that publishes on a publicly available Internet website or in any other publication or criminal history report that charges a fee for removal or correction of the information to correct the person's published criminal record information within 5

business days after receipt of the notice, demand for correction, and the provision of correct information, constitutes an unlawful and deceptive practice within the meaning of this Act. In addition to any other remedy available under this Act, a person who has been injured by a violation of this Section is entitled to the damages of \$100 per day, plus attorney's fees, for the publisher's failure to correct the criminal record information.

(f) This Section does not apply to a play, book, magazine, newspaper, musical, composition, visual work, work of art, audiovisual work, radio, motion picture, or television program, or a dramatic, literary, or musical work.

(g) This Section does not apply to a news medium or reporter as defined in Section 8-902 of the Code of Civil Procedure.

(h) This Section does not apply to the Illinois State Police.

(i) This Section does not apply to a consumer reporting agency as defined under 15 U.S.C. 1681a(f).

(j) Nothing in this Section shall be construed to impose liability on an interactive computer service, as defined in 47 U.S.C. 230(f)(2), for content provided by another person.

(Source: P.A. 100-927, eff. 1-1-19.)