SmartSuite

Framework / Privacy / Global Privacy Regulations

Illinois Identity Protection Act (5 ILCS 179)

Illinois' Identity Protection Act limits how State and local government agencies collect, display and disclose Social Security numbers and requires a written identity-protection policy.



What it is

The Illinois Identity Protection Act (5 ILCS 179) is a state statute that limits how Illinois State and local government agencies, and the people who work for them, collect, use, display and disclose Social Security numbers (SSNs). The General Assembly enacted it as Public Act 96-874, and it took effect on June 1, 2010. Public Act 102-26 amended Section 10 in 2021. The Act sets no duties for private businesses and has no breach notification rule.

Section 10(a) bans public posting of an SSN, printing it on a card needed to access services, requiring its transmission over the Internet unless the connection is secure or the number is encrypted, and printing it on mailed materials unless law requires it. Section 10(b) allows collection, use or disclosure only when required by law or necessary for the agency's duties, with the need and purpose documented first. An intentional violation of Section 10 is a Class B misdemeanor (Section 45).

At a glance

PUBLISHER Illinois General Assembly (enacted); no single enforcing agency (Section 45 criminal penalty)	TYPE Regulation	VERSION Public Act 96-874 (5 ILCS 179), as amended by Public Act 102-26 (2021)
EFFECTIVE June 1, 2010	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Illinois	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY Medium

Source: ilga.gov/Legislation/ILCS/Articles?ActID=3174&ChapterID=2

Why it matters

- **Named prohibitions** Section 10(a) bans four practices: public posting or display, printing on a card needed to access services, requiring unsecured Internet transmission, and printing on mailed materials. Section 10(b)(2) also bars requiring an SSN to use a website.
- **A documented need before collection** Under Section 10(b)(1), an agency may collect, use or disclose an SSN only if law requires it or its duties need it, the need and purpose are documented before collection and the SSN is relevant to that purpose.
- **Training and access limits** An identity-protection policy must require training for employees with SSN access and limit access to employees who must use or handle the information (Sections 35(a) and 37(a)).
- **Records that can be released safely** Section 15 requires agencies to redact SSNs before public inspection or copying, and the policy must require SSNs to be provided in a manner that makes them easily redacted.

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How SmartSuite supports 5 ILCS 179

SSN Collection Inventory

List every form, system and report that collects or holds an SSN, with the need and purpose documented before collection (Section 10(b)(1)).

Section 10 Prohibitions Check

Check each channel against the Section 10(a) bans: public display, access cards, unsecured Internet transmission and mailed materials, and websites that require an SSN.

Identity-Protection Policy Record

Keep the approved policy, its five required elements, the approval date and the filing with the governing board or Task Force within 30 days.

Training and Access Register

Track which employees have SSN access, that access is limited to those who need it and that each has completed training from collection through destruction.

Redaction and Records Requests

Log public records requests that involve SSNs, with the redaction step and reviewer (Section 15).

Contractor Policy Tracker

Record each contractor or subcontractor that receives SSNs and the copy of its policy received before disclosure (Section 10(c)(1)).

Common framework mappings

CIS Controls v8.1 · COBIT 2019 · FERPA · GDPR · GLBA Safeguards Rule (16 CFR Part 314) · HIPAA · ISO 27001:2022 · NIST CSF 2.0 · NIST 800-53 Rev.5 · PCI DSS 4.0.1

Official resources

Illinois Identity Protection Act (5 ILCS 179)

The full text of the Identity Protection Act in the Illinois Compiled Statutes on the Illinois General Assembly site.

ilga.gov/Legislation/ILCS/Articles?ActID=3174&ChapterID=2

Illinois Attorney General: SSN Protection Task Force Report (2025)

The Task Force's annual report of December 19, 2025, with a template identity-protection policy and statement of purpose(s) for agencies.

illinoisattorneygeneral.gov/Page-Attachments/IllinoisSocialSecurityNumberTaskForceReport2025.pdf

Illinois DCFS Administrative Procedure #27: Identity Protection

An Illinois State agency's own procedure for complying with the Identity Protection Act, dated October 21, 2013.

dcfs.illinois.gov/content/dam/soi/en/web/dcfs/documents/about-us/policy-rules-and-forms/documents/administrative-procedure/administrative-procedure-27.pdf

Illinois Department of Corrections Administrative Directive 01.02.108: Identity Protection

An Illinois State agency's directive on collecting, using and distributing Social Security numbers under the Act, effective March 1, 2022.

idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/administration-organization-and-management/102108%20Identity%20Protection.pdf

Frequently asked questions

Who does the Illinois Identity Protection Act apply to?

It applies to Illinois State agencies and local government agencies and to individuals employed by them, whom the Act calls persons (Section 5). It does not set duties for private businesses. The judicial branch and clerks of the circuit court are excluded (Section 40).

What does Section 10 of the Act prohibit?

Section 10(a) bans publicly posting an SSN, printing it on a card needed to access services, requiring its transmission over the Internet unless the connection is secure or the number is encrypted, and printing it on mailed materials unless law requires it. Section 10(b) limits collection, use and disclosure and bars requiring an SSN to access a website.

What must an agency's identity-protection policy contain?

Under Sections 35 and 37, the policy must identify the Act, require training for employees with SSN access, limit access to employees who need it, require SSNs to be provided so they are easily redacted and provide a statement of purpose when an SSN is collected or on request. State agencies copy the policy to the Social Security Number Protection Task Force within 30 days.

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What is the penalty for violating the Act?

Any person who intentionally violates the Section 10 prohibitions is guilty of a Class B misdemeanor (Section 45). The text of the Act provides no civil penalty and names no administrative enforcement agency.

Does the Act require breach notification?

No. The Act has no breach notification provision. Illinois breach notice duties sit in the Personal Information Protection Act (815 ILCS 530), which covers data collectors, including State agencies, in Sections 10 and 12.

License included / downloadable: Yes The Illinois Identity Protection Act is public law published by the Illinois General Assembly and is included with the platform for reference.

Full framework page and mappings: smartsuite.com/frameworks/illinois-identity-protection-act-5-ilcs-179