

# SUPPORT HB 2134 (HA 3)

Continue reasonable limits on law enforcement use of location tracking

**Lead Sponsors:** Representative Ann Williams  
Senator Don Harmon

**WHAT DOES HB 2134 DO:** HB 2134 (HA 3) reconciles the Illinois Freedom from Location Surveillance Act (FLSA) with the ruling of *Carpenter*, ensuring that Illinois law enforcement agencies seek a warrant or court order before obtaining current, future, **or historical** CSLI. Specifically, HB 2134 would amend the FLSA as follows:

- Amends the Freedom from Location Surveillance Act to require law enforcement agencies in Illinois to obtain a court order or warrant before obtaining historical cell site location data most commonly stored by wireless carriers
- Removes instances of “current or future” from the FLSA, making clear that the law applies to all location information

In order to keep up with current technology, and protect against technological advancements that create new intrusions on an individual’s reasonable expectation of privacy in everyday travel, Illinois law must be updated.

**WHY WE NEED HB 2134:** This is a cleanup bill that recognizes the United States Supreme Court ruling in *Carpenter v. United States* (2018) that cell phone users have a reasonable expectation of privacy under the Fourth Amendment in historical cell site location data.

