



BIPA statute of limitations varies depending on charges, Business Insurance, quoted Jean Liu, Sept. 20, 2021

An Illinois state appeals panel ruled Friday that the statute of limitations under the Illinois Biometric Information Privacy Act varies depending upon the charges in the case.

The law, which is referred to as BIPA, requires businesses that store biometric information to inform the subject in writing that the data is being collected or stored and the purpose and duration for which it is being collected.

It also requires that businesses receive the subject's written consent. The law, which does not include a statute of limitations, has led to numerous lawsuits against companies....

Jean Y. Liu, a defense attorney with Kaufman Dolowich Voluck LLP in Chicago, who is not involved in the case, said the ruling "brings some clarity" to the issue of statute of limitations. Parties have essentially been making educated guesses about the applicable statute of limitations, she said.

She said, however, "Plaintiff attorneys are likely to welcome the affirmation of a five-year statute of limitations" in cases where there are charges of multiple violations of the law.

Ms. Liu also noted there is a similar case now on appeal in Illinois, Scott Marion v. Ring Container Technologies LLC.

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