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Mitch Martin Discusses Illinois' BIPA Amendment in St. Louis Business Journal

Spencer Fane attorney Mitch Martin's insights were recently spotlighted in a *St. Louis Business Journal* article, "Illinois' Amended Biometric Privacy Law is More 'Business Friendly,' Attorney Says." In an interview for the feature, Mitch explained the impact of Illinois Governor J.B. Pritzker's amendment to the state's long-standing Biometric Information Privacy Act (BIPA), which prohibits businesses from collecting biometric data from employees and consumers without their express written consent and release. The amended law, which took effect August 2, notably shifts from per-violation to per-person compensation limits.

Mitch provided his thoughts on what this change means for businesses, explaining it likely wouldn't "greatly curtail these class-action lawsuits in Illinois," especially if managing a class of thousands of plaintiffs. "The amendment is business-friendly, but the statute itself is not, by any measure, business-friendly," Mitch clarified.

The discussion with the *St. Louis Business Journal* was prompted by Mitch's recent Spencer Fane blog, "Billion-Dollar Biometric Bust: Meta Reaches Largest AG Settlement in History – $1.4 Billion – for Alleged Violations of Texas Biometric Privacy Law," co-authored by Spencer Fane attorney Jeremy Rucker. The blog outlined how Texas' Capture or Use of Biometric Identifier Act (CUBI) led to Meta reaching the largest settlement in U.S. history with a single state attorney general's office. The article also highlights the increasingly commonplace nature of large-scale biometric privacy verdicts and settlements across the U.S. Of all privacy statutes, Mitch wrote, Illinois' BIPA was "the most infamous and punitive" for 16 years.

At the firm, Mitch represents businesses of all sizes. His practice focuses on ensuring his clients comply with federal and state privacy laws, while also advising on how to

comply with legal issues surrounding AI, biometric data, and emerging technologies. For more than a decade, he has also litigated a wide range of multi-million dollar commercial disputes, including consumer class actions alleging privacy violations.

Read the full article in the *St. Louis Business Journal* here and the Spencer Fane blog here. Please note, a subscription is required for the former.