

1 AN ACT concerning government.

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

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Section 5 as follows:

6 (15 ILCS 335/5) (from Ch. 124, par. 25)

7 Sec. 5. Applications.

8 (a) Any natural person who is a resident of the State of
9 Illinois may file an application for an identification card, or
10 for the renewal thereof, in a manner prescribed by the
11 Secretary. Each original application shall be completed by the
12 applicant in full and shall set forth the legal name, residence
13 address and zip code, social security number, birth date, sex
14 and a brief description of the applicant. The applicant shall
15 be photographed, unless the Secretary of State has provided by
16 rule for the issuance of identification cards without
17 photographs and the applicant is deemed eligible for an
18 identification card without a photograph under the terms and
19 conditions imposed by the Secretary of State, and he or she
20 shall also submit any other information as the Secretary may
21 deem necessary or such documentation as the Secretary may
22 require to determine the identity of the applicant. In addition
23 to the residence address, the Secretary may allow the applicant

1 to provide a mailing address. If the applicant is a judicial
2 officer as defined in Section 1-10 of the Judicial Privacy Act
3 or a peace officer, the applicant may elect to have his or her
4 office or work address in lieu of the applicant's residence or
5 mailing address. An applicant for an Illinois Person with a
6 Disability Identification Card must also submit with each
7 original or renewal application, on forms prescribed by the
8 Secretary, such documentation as the Secretary may require,
9 establishing that the applicant is a "person with a disability"
10 as defined in Section 4A of this Act, and setting forth the
11 applicant's type and class of disability as set forth in
12 Section 4A of this Act. For the purposes of this subsection
13 (a), "peace officer" means any person who by virtue of his or
14 her office or public employment is vested by law with a duty to
15 maintain public order or to make arrests for a violation of any
16 penal statute of this State, whether that duty extends to all
17 violations or is limited to specific violations.

18 (a-5) Upon the first issuance of a request for proposals
19 for a digital driver's license and identification card issuance
20 and facial recognition system issued after the effective date
21 of this amendatory Act of the 101st General Assembly, and upon
22 implementation of a new or revised system procured pursuant to
23 that request for proposals, the Secretary shall permit
24 applicants to choose between "male", "female", or "non-binary"
25 when designating the applicant's sex on the identification card
26 application form. The sex designated by the applicant shall be

1 displayed on the identification card issued to the applicant.

2 (b) Beginning on or before July 1, 2015, for each original
3 or renewal identification card application under this Act, the
4 Secretary shall inquire as to whether the applicant is a
5 veteran for purposes of issuing an identification card with a
6 veteran designation under subsection (c-5) of Section 4 of this
7 Act. The acceptable forms of proof shall include, but are not
8 limited to, Department of Defense form DD-214 or an
9 identification card issued under the federal Veterans
10 Identification Card Act of 2015. If the document cannot be
11 stamped, the Illinois Department of Veterans' Affairs shall
12 provide a certificate to the veteran to provide to the
13 Secretary of State. The Illinois Department of Veterans'
14 Affairs shall advise the Secretary as to what other forms of
15 proof of a person's status as a veteran are acceptable.

16 The Illinois Department of Veterans' Affairs shall confirm
17 the status of the applicant as an honorably discharged veteran
18 before the Secretary may issue the identification card.

19 For purposes of this subsection (b):

20 "Armed forces" means any of the Armed Forces of the United
21 States, including a member of any reserve component or National
22 Guard unit.

23 "Veteran" means a person who has served in the armed forces
24 and was discharged or separated under honorable conditions.

25 (c) All applicants for REAL ID compliant standard Illinois
26 Identification Cards and Illinois Person with a Disability

1 Identification Cards shall provide proof of lawful status in
2 the United States as defined in 6 CFR 37.3, as amended.
3 Applicants who are unable to provide the Secretary with proof
4 of lawful status are ineligible for REAL ID compliant
5 identification cards under this Act.

6 (Source: P.A. 99-511, eff. 1-1-17; 99-544, eff. 7-15-16;
7 100-201, eff. 8-18-17; 100-248, eff. 8-22-17; 100-811, eff.
8 1-1-19.)

9 Section 10. The Illinois Vehicle Code is amended by
10 changing Section 6-106 as follows:

11 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

12 Sec. 6-106. Application for license or instruction permit.

13 (a) Every application for any permit or license authorized
14 to be issued under this Code shall be made upon a form
15 furnished by the Secretary of State. Every application shall be
16 accompanied by the proper fee and payment of such fee shall
17 entitle the applicant to not more than 3 attempts to pass the
18 examination within a period of one year after the date of
19 application.

20 (b) Every application shall state the legal name, social
21 security number, zip code, date of birth, sex, and residence
22 address of the applicant; briefly describe the applicant; state
23 whether the applicant has theretofore been licensed as a
24 driver, and, if so, when and by what state or country, and

1 whether any such license has ever been cancelled, suspended,
2 revoked or refused, and, if so, the date and reason for such
3 cancellation, suspension, revocation or refusal; shall include
4 an affirmation by the applicant that all information set forth
5 is true and correct; and shall bear the applicant's signature.
6 In addition to the residence address, the Secretary may allow
7 the applicant to provide a mailing address. In the case of an
8 applicant who is a judicial officer or peace officer, the
9 Secretary may allow the applicant to provide an office or work
10 address in lieu of a residence or mailing address. The
11 application form may also require the statement of such
12 additional relevant information as the Secretary of State shall
13 deem necessary to determine the applicant's competency and
14 eligibility. The Secretary of State may, in his discretion, by
15 rule or regulation, provide that an application for a drivers
16 license or permit may include a suitable photograph of the
17 applicant in the form prescribed by the Secretary, and he may
18 further provide that each drivers license shall include a
19 photograph of the driver. The Secretary of State may utilize a
20 photograph process or system most suitable to deter alteration
21 or improper reproduction of a drivers license and to prevent
22 substitution of another photo thereon. For the purposes of this
23 subsection (b), "peace officer" means any person who by virtue
24 of his or her office or public employment is vested by law with
25 a duty to maintain public order or to make arrests for a
26 violation of any penal statute of this State, whether that duty

1 extends to all violations or is limited to specific violations.

2 (b-3) Upon the first issuance of a request for proposals
3 for a digital driver's license and identification card issuance
4 and facial recognition system issued after the effective date
5 of this amendatory Act of the 101st General Assembly, and upon
6 implementation of a new or revised system procured pursuant to
7 that request for proposals, the Secretary shall permit
8 applicants to choose between "male", "female" or "non-binary"
9 when designating the applicant's sex on the driver's license
10 application form. The sex designated by the applicant shall be
11 displayed on the driver's license issued to the applicant.

12 (b-5) Every applicant for a REAL ID compliant driver's
13 license or permit shall provide proof of lawful status in the
14 United States as defined in 6 CFR 37.3, as amended. Applicants
15 who are unable to provide the Secretary with proof of lawful
16 status may apply for a driver's license or permit under Section
17 6-105.1 of this Code.

18 (c) The application form shall include a notice to the
19 applicant of the registration obligations of sex offenders
20 under the Sex Offender Registration Act. The notice shall be
21 provided in a form and manner prescribed by the Secretary of
22 State. For purposes of this subsection (c), "sex offender" has
23 the meaning ascribed to it in Section 2 of the Sex Offender
24 Registration Act.

25 (d) Any male United States citizen or immigrant who applies
26 for any permit or license authorized to be issued under this

1 Code or for a renewal of any permit or license, and who is at
2 least 18 years of age but less than 26 years of age, must be
3 registered in compliance with the requirements of the federal
4 Military Selective Service Act. The Secretary of State must
5 forward in an electronic format the necessary personal
6 information regarding the applicants identified in this
7 subsection (d) to the Selective Service System. The applicant's
8 signature on the application serves as an indication that the
9 applicant either has already registered with the Selective
10 Service System or that he is authorizing the Secretary to
11 forward to the Selective Service System the necessary
12 information for registration. The Secretary must notify the
13 applicant at the time of application that his signature
14 constitutes consent to registration with the Selective Service
15 System, if he is not already registered.

16 (e) Beginning on or before July 1, 2015, for each original
17 or renewal driver's license application under this Code, the
18 Secretary shall inquire as to whether the applicant is a
19 veteran for purposes of issuing a driver's license with a
20 veteran designation under subsection (e-5) of Section 6-110 of
21 this Code. The acceptable forms of proof shall include, but are
22 not limited to, Department of Defense form DD-214 or an
23 identification card issued under the federal Veterans
24 Identification Card Act of 2015. If the document cannot be
25 stamped, the Illinois Department of Veterans' Affairs shall
26 provide a certificate to the veteran to provide to the

1 Secretary of State. The Illinois Department of Veterans'
2 Affairs shall advise the Secretary as to what other forms of
3 proof of a person's status as a veteran are acceptable.

4 The Illinois Department of Veterans' Affairs shall confirm
5 the status of the applicant as an honorably discharged veteran
6 before the Secretary may issue the driver's license.

7 For purposes of this subsection (e):

8 "Armed forces" means any of the Armed Forces of the United
9 States, including a member of any reserve component or National
10 Guard unit.

11 "Veteran" means a person who has served in the armed forces
12 and was discharged or separated under honorable conditions.

13 (Source: P.A. 99-511, eff. 1-1-17; 99-544, eff. 7-15-16;
14 100-201, eff. 8-18-17; 100-248, eff. 8-22-17; 100-811, eff.
15 1-1-19.)