



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3822

by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

20 ILCS 1305/1-75 new
20 ILCS 2605/2605-370 new

Amends the Department of Human Services Act and the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Department of State Police shall establish and maintain a database of persons who register as being diagnosed with a communication disability or a disability that can impair communication. Provides that a person diagnosed with a communication disability or a disability that can impair communication who is 18 of age or older may register with the Department of State Police for inclusion in the database by submitting a completed verification form established by the Department of Human Services. Provides that a parent or guardian of a minor child or a ward diagnosed with a communication disability or a disability that can impair communication may register the minor child or the ward with the Department of State Police for inclusion in the database by submitting a completed verification form established by the Department of Human Services. Provides that the Department of State Police shall include in the database information provided on a completed verification form that the Department of State Police determines is necessary for a law enforcement officer to identify a person as diagnosed with a communication disability or a disability that can impair communication. Defines terms.

LRB101 11706 RLC 58216 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Human Services Act is amended
5 by adding Section 1-75 as follows:

6 (20 ILCS 1305/1-75 new)

7 Sec. 1-75. Verification form for a person diagnosed with a
8 communication disability or a disability that can impair
9 communication. The Department shall develop a verification
10 form for a person diagnosed with a communication disability or
11 a disability that can impair communication as provided in
12 Section 2605-370 of the Department of State Police Law of the
13 Civil Administrative Code of Illinois.

14 Section 10. The Department of State Police Law of the Civil
15 Administrative Code of Illinois is amended by adding Section
16 2605-370 as follows:

17 (20 ILCS 2605/2605-370 new)

18 Sec. 2605-370. Database of persons with a communication
19 disability; form for inclusion in database of persons with a
20 communication disability.

21 (a) In this Section:

1 "Clinical psychologist" means a person licensed to
2 practice clinical psychology under the Clinical
3 Psychologist Licensing Act.

4 "Communication disability" means a human condition
5 involving an impairment in the human's ability to receive,
6 send, process, or comprehend concepts or verbal,
7 nonverbal, or graphic symbol systems that may result in a
8 primary disability or may be secondary to other
9 disabilities.

10 "Disability that can impair communication" means a
11 human condition with symptoms that can impair the human's
12 ability to receive, send, process, or comprehend concepts
13 or verbal, nonverbal, or graphic symbol systems.

14 "Guardian" has the meaning ascribed to it in Section
15 1-2.08 of the Probate Act of 1975.

16 "Physician" means a person licensed by the State of
17 Illinois to practice medicine in all its branches and
18 includes a person holding a temporary license, as provided
19 in the Medical Practice Act of 1987. "Physician" includes a
20 psychiatrist as defined in this subsection (a).

21 "Psychiatrist" means a physician as defined in this
22 subsection (a) who has successfully completed a residency
23 program in psychiatry accredited by either the
24 Accreditation Council for Graduate Medical Education or
25 the American Osteopathic Association.

26 "Ward" has the meaning ascribed to it in Section 1-2.17

1 of the Probate Act of 1975.

2 (b) The Department of Human Services shall develop a
3 verification form for a person diagnosed with a communication
4 disability or a disability that can impair communication to be
5 submitted voluntarily to the Department of State Police so that
6 the person may be included in the database established under
7 subsection (f). The same form shall be used to indicate that
8 the person wishes to be removed from the database in accordance
9 with subsection (f).

10 (c) The form shall include the following information:

11 (1) the name of the person diagnosed with a
12 communication disability or a disability that can impair
13 communication;

14 (2) the name of the person completing the form on
15 behalf of the person diagnosed with a communication
16 disability or a disability that can impair communication,
17 if applicable;

18 (3) the relationship between the person completing the
19 form and the person diagnosed with a communication
20 disability or a disability that can impair communication,
21 if applicable;

22 (4) the driver's license number, standard Illinois
23 Identification Card number, or Illinois Person with a
24 Disability Identification Card number issued to the person
25 diagnosed with a communication disability or a disability
26 that can impair communication, if that person has such a

1 number;

2 (5) the license plate number of each vehicle owned,
3 operated, or regularly occupied by the person diagnosed
4 with a communication disability or a disability that can
5 impair communication or registered in that person's name;

6 (6) a physician, psychiatrist, or clinical
7 psychologist's signed certification that the person has
8 been diagnosed with a communication disability or a
9 disability that can impair communication;

10 (7) the name, business address, business telephone
11 number, and medical license number of the physician,
12 psychiatrist, or clinical psychologist making the
13 certification;

14 (8) the signature of the person diagnosed with a
15 communication disability or a disability that can impair
16 communication or the signature of the person completing the
17 form on behalf of the person; and

18 (9) a place where the person diagnosed with a
19 communication disability or a disability that can impair
20 communication or the person completing the form on behalf
21 of the person may indicate the desire to be removed from
22 the database.

23 (d) Any of the following persons may complete the
24 verification form:

25 (1) a person diagnosed with a communication disability
26 or a disability that can impair communication who is 18

1 years of age or older;

2 (2) the parent or parents of a minor child diagnosed
3 with a communication disability or a disability that can
4 impair communication; or

5 (3) the guardian of a person diagnosed with a
6 communication disability or a disability that can impair
7 communication, regardless of the age of the person.

8 (e) The Department of Human Services and the Department of
9 State Police shall make the verification form electronically
10 available on each of their websites.

11 (f) The Department of State Police shall establish and
12 maintain a database of persons who register under this Section
13 as being diagnosed with a communication disability or a
14 disability that can impair communication. A person diagnosed
15 with a communication disability or a disability that can impair
16 communication who is 18 of age or older may register with the
17 Department of State Police for inclusion in the database by
18 submitting a completed verification form established by the
19 Department of Human Services. A parent or guardian of a minor
20 child or a ward diagnosed with a communication disability or a
21 disability that can impair communication may register the minor
22 child or the ward with the Department of State Police for
23 inclusion in the database by submitting a completed
24 verification form established by the Department of Human
25 Services. The Department of State Police shall include in the
26 database information provided on a completed verification form

1 that the Department determines is necessary for a law
2 enforcement officer to identify a person as diagnosed with a
3 communication disability or a disability that can impair
4 communication. The Department of State Police shall make the
5 database available to State and local law enforcement officers
6 through the Law Enforcement Agencies Data System (LEADS).
7 Information in the database is not a public record subject to
8 inspection or copying under the Freedom of Information Act. A
9 person diagnosed with a communication disability or a
10 disability that can impair communication who is included in the
11 database or the parent or guardian of a minor child or a ward
12 diagnosed with a communication disability or a disability that
13 can impair communication who is included in the database may
14 request removal of the person, minor, or ward, as applicable,
15 from the database. The person, parent, or guardian shall do so
16 by completing the verification form with only the information
17 required under paragraphs (1), (2), (3), (8), and (9) of
18 subsection (c) as applicable, and submitting the form to the
19 Department of State Police. Upon receipt of a properly
20 completed verification form requesting the removal of a person
21 with a communication disability or a disability that can impair
22 communication from the database, the Department of State Police
23 shall immediately remove that person from the database.