



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB3923

Introduced 10/28/2019, by Rep. John M. Cabello

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Public Safety and Justice Privacy Act. Defines terms. Provides that government agencies, persons, businesses, and associations shall not publicly post or display publicly available content that includes a law enforcement officer's, prosecutor's, public defender's, or probation officer's ("officials") personal information, provided that the government agency, person, business, or association has received a written request from the person that it refrain from disclosing the person's personal information. Provides injunctive or declaratory relief if the Act is violated. Includes procedures for a written request. Provides that it is a Class 3 felony for any person to knowingly publicly post on the Internet the personal information of an official or an official's immediate family under specified circumstances. Excludes criminal penalties for employees of government agencies who publish information in good faith during the ordinary course of carrying out public functions. Provides that the Act and any rules adopted to implement the Act shall be construed broadly to favor the protection of the personal information of officials. Amends various Acts and Codes allowing an official to list a business address rather than a home address and makes conforming changes. Effective immediately.

LRB101 14120 AWJ 62987 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning privacy.

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

4 Section 1. Short title. This Act may be cited as the Public  
5 Safety and Justice Privacy Act.

6 Section 5. Definitions. As used in this Act:

7 "Assistant Public Defender" and "Assistant State's  
8 Attorney" have the meanings given to those terms in Section 15  
9 of the Public Interest Attorney Assistance Act.

10 "Government agency", "personal information", "publicly  
11 available content", and "publicly post" or "publicly display"  
12 have the meanings given to those terms in 1-10 of Judicial  
13 Privacy Act.

14 "Home address" includes an official's permanent residence  
15 and any secondary residences affirmatively identified by the  
16 official, but does not include an official's work address.

17 "Immediate family" includes an official's spouse, child,  
18 parent, or any blood relative of the official or the official's  
19 spouse who lives in the same residence.

20 "Law enforcement officer" has the meaning given to that  
21 term in Section 5 of the Law Enforcement Officer Bulletproof  
22 Vest Act.

23 "Official" includes:

1 (1) Law enforcement officers.

2 (2) Prosecutors.

3 (3) Public defenders.

4 (4) Probation officers.

5 "Probation officer" has the meaning given to that term in  
6 Section 9b of the Probation and Probation Officers Act.

7 "Prosecutor" means a State's Attorney, Assistant State's  
8 Attorney, or a prosecutor for a unit of local government.

9 "Public defender" means a Public Defender or an Assistant  
10 Public Defender.

11 "Written request" means written notice signed by an  
12 official or a representative of the official's employer  
13 requesting a government agency, person, business, or  
14 association to refrain from posting or displaying publicly  
15 available content that includes the official's personal  
16 information.

17 Section 10. Publicly posting or displaying an official's  
18 personal information by government agencies.

19 (a) Government agencies shall not publicly post or display  
20 publicly available content that includes an official's  
21 personal information, provided that the government agency has  
22 received a written request in accordance with Section 20 that  
23 it refrain from disclosing the official's personal  
24 information. After a government agency has received a written  
25 request, that agency shall remove the official's personal

1 information from publicly available content within 5 business  
2 days. After the government agency has removed the official's  
3 personal information from publicly available content, the  
4 agency shall not publicly post or display the information and  
5 the official's personal information shall be exempt from the  
6 Freedom of Information Act unless the government agency has  
7 received consent from the official to make the personal  
8 information available to the public.

9 (b) If a government agency fails to comply with a written  
10 request to refrain from disclosing personal information, the  
11 official may bring an action in the circuit court seeking  
12 injunctive or declaratory relief.

13 Section 15. Publicly posting an official's personal  
14 information on the Internet by persons, businesses, and  
15 associations.

16 (a) Prohibited Conduct.

17 (1) All persons, businesses, and associations shall  
18 refrain from publicly posting or displaying on the Internet  
19 publicly available content that includes an official's  
20 personal information, provided that the official has made a  
21 written request to the person, business, or association  
22 that it refrain from disclosing the personal information.

23 (2) No person, business, or association shall solicit,  
24 sell, or trade on the Internet an official's personal  
25 information with the intent to pose an imminent and serious

1 threat to the health and safety of the official or the  
2 official's immediate family.

3 (3) This subsection includes, but is not limited to,  
4 Internet phone directories, Internet search engines,  
5 Internet data aggregators, and Internet service providers.

6 (b) Required Conduct.

7 (1) After a person, business, or association has  
8 received a written request from an official to protect the  
9 privacy of the officer's personal information, that  
10 person, business, or association shall have 72 hours to  
11 remove the personal information from the Internet.

12 (2) After a person, business, or association has  
13 received a written request from an official, that person,  
14 business, or association shall ensure that the official's  
15 personal information is not made available on any website  
16 or subsidiary website controlled by that person, business,  
17 or association.

18 (3) After receiving an official's written request, no  
19 person, business, or association shall transfer the  
20 official's personal information to any other person,  
21 business, or association through any medium.

22 (c) Redress. An official whose personal information is made  
23 public as a result of a violation of this Section may bring an  
24 action in the circuit court seeking injunctive or declaratory  
25 relief. If the court grants injunctive or declaratory relief,  
26 the person, business, or association responsible for the

1 violation shall be required to pay the official's costs and  
2 reasonable attorney's fees.

3 Section 20. Procedure for completing a written request.

4 (a) No government agency, person, business, or association  
5 shall be found to have violated any provision of this Act if  
6 the official fails to submit a written request calling for the  
7 protection of the officer's personal information.

8 (b) A written request is valid if:

9 (1) the official sends a written request directly to a  
10 government agency, person, business, or association; or

11 (2) the Secretary of State creates a policy and  
12 procedure for an official to file the written request with  
13 the Secretary of State to notify government agencies, the  
14 official may send the written request to the Secretary of  
15 State as provided in the policy and procedure. In each  
16 quarter of a calendar year, the Secretary of State shall  
17 provide a list of all officials who have submitted a  
18 written request to it to the appropriate officer with  
19 ultimate supervisory authority for a government agency.  
20 The officer shall promptly provide a copy of the list to  
21 any and all government agencies under his or her  
22 supervision. Receipt of the written request list compiled  
23 by the Secretary of State by a government agency shall  
24 constitute a written request to that agency for the  
25 purposes of this Act.

1           (c) A representative from the official's employer may  
2 submit a written request on the official's behalf, provided  
3 that the official gives written consent to the representative  
4 and provided that the representative agrees to furnish a copy  
5 of that consent when a written request is made. The  
6 representative shall submit the written request as provided in  
7 subsection (b).

8           (d) An official's written request shall specify what  
9 personal information shall be maintained private.

10           If an official wishes to identify a secondary residence as  
11 a home address, the designation shall be made in the written  
12 request.

13           An official shall disclose the identity of the officer's  
14 immediate family and indicate that the personal information of  
15 these family members shall also be excluded to the extent that  
16 it could reasonably be expected to reveal the personal  
17 information of the official.

18           (e) An official's written request is valid until the  
19 official provides the government agency, person, business, or  
20 association with written permission to release the private  
21 information. An official's written request expires on death.

22           Section 25. Unlawful publication of personal information.

23           (a) It is unlawful for any person to knowingly publicly  
24 post on the Internet the personal information of an official or  
25 of the official's immediate family if the person knows or

1 reasonably should know that publicly posting the personal  
2 information poses an imminent and serious threat to the health  
3 and safety of the official or the official's immediate family  
4 and the violation is a proximate cause of bodily injury or  
5 death of the official or a member of the official's immediate  
6 family. A person who violates this Section is guilty of a Class  
7 3 felony.

8 (b) If an employee of a government agency has complied with  
9 the provisions of this Act, it is not a violation of subsection  
10 (a) if the employee publishes personal information, in good  
11 faith, on the website of the government agency in the ordinary  
12 course of carrying out public functions.

13 Section 30. Construction. This Act and any rules adopted to  
14 implement this Act shall be construed broadly to favor the  
15 protection of the personal information of officials.

16 Section 100. The Freedom of Information Act is amended by  
17 changing Section 7 as follows:

18 (5 ILCS 140/7) (from Ch. 116, par. 207)

19 Sec. 7. Exemptions.

20 (1) When a request is made to inspect or copy a public  
21 record that contains information that is exempt from disclosure  
22 under this Section, but also contains information that is not  
23 exempt from disclosure, the public body may elect to redact the



1 information that is exempt. The public body shall make the  
2 remaining information available for inspection and copying.  
3 Subject to this requirement, the following shall be exempt from  
4 inspection and copying:

5 (a) Information specifically prohibited from  
6 disclosure by federal or State law or rules and regulations  
7 implementing federal or State law.

8 (b) Private information, unless disclosure is required  
9 by another provision of this Act, a State or federal law or  
10 a court order.

11 (b-5) Files, documents, and other data or databases  
12 maintained by one or more law enforcement agencies and  
13 specifically designed to provide information to one or more  
14 law enforcement agencies regarding the physical or mental  
15 status of one or more individual subjects.

16 (c) Personal information contained within public  
17 records, the disclosure of which would constitute a clearly  
18 unwarranted invasion of personal privacy, unless the  
19 disclosure is consented to in writing by the individual  
20 subjects of the information. "Unwarranted invasion of  
21 personal privacy" means the disclosure of information that  
22 is highly personal or objectionable to a reasonable person  
23 and in which the subject's right to privacy outweighs any  
24 legitimate public interest in obtaining the information.  
25 The disclosure of information that bears on the public  
26 duties of public employees and officials shall not be

1 considered an invasion of personal privacy.

2 (d) Records in the possession of any public body  
3 created in the course of administrative enforcement  
4 proceedings, and any law enforcement or correctional  
5 agency for law enforcement purposes, but only to the extent  
6 that disclosure would:

7 (i) interfere with pending or actually and  
8 reasonably contemplated law enforcement proceedings  
9 conducted by any law enforcement or correctional  
10 agency that is the recipient of the request;

11 (ii) interfere with active administrative  
12 enforcement proceedings conducted by the public body  
13 that is the recipient of the request;

14 (iii) create a substantial likelihood that a  
15 person will be deprived of a fair trial or an impartial  
16 hearing;

17 (iv) unavoidably disclose the identity of a  
18 confidential source, confidential information  
19 furnished only by the confidential source, or persons  
20 who file complaints with or provide information to  
21 administrative, investigative, law enforcement, or  
22 penal agencies; except that the identities of  
23 witnesses to traffic accidents, traffic accident  
24 reports, and rescue reports shall be provided by  
25 agencies of local government, except when disclosure  
26 would interfere with an active criminal investigation

1 conducted by the agency that is the recipient of the  
2 request;

3 (v) disclose unique or specialized investigative  
4 techniques other than those generally used and known or  
5 disclose internal documents of correctional agencies  
6 related to detection, observation or investigation of  
7 incidents of crime or misconduct, and disclosure would  
8 result in demonstrable harm to the agency or public  
9 body that is the recipient of the request;

10 (vi) endanger the life or physical safety of law  
11 enforcement personnel or any other person; or

12 (vii) obstruct an ongoing criminal investigation  
13 by the agency that is the recipient of the request.

14 (d-5) A law enforcement record created for law  
15 enforcement purposes and contained in a shared electronic  
16 record management system if the law enforcement agency that  
17 is the recipient of the request did not create the record,  
18 did not participate in or have a role in any of the events  
19 which are the subject of the record, and only has access to  
20 the record through the shared electronic record management  
21 system.

22 (e) Records that relate to or affect the security of  
23 correctional institutions and detention facilities.

24 (e-5) Records requested by persons committed to the  
25 Department of Corrections, Department of Human Services  
26 Division of Mental Health, or a county jail if those

1 materials are available in the library of the correctional  
2 institution or facility or jail where the inmate is  
3 confined.

4 (e-6) Records requested by persons committed to the  
5 Department of Corrections, Department of Human Services  
6 Division of Mental Health, or a county jail if those  
7 materials include records from staff members' personnel  
8 files, staff rosters, or other staffing assignment  
9 information.

10 (e-7) Records requested by persons committed to the  
11 Department of Corrections or Department of Human Services  
12 Division of Mental Health if those materials are available  
13 through an administrative request to the Department of  
14 Corrections or Department of Human Services Division of  
15 Mental Health.

16 (e-8) Records requested by a person committed to the  
17 Department of Corrections, Department of Human Services  
18 Division of Mental Health, or a county jail, the disclosure  
19 of which would result in the risk of harm to any person or  
20 the risk of an escape from a jail or correctional  
21 institution or facility.

22 (e-9) Records requested by a person in a county jail or  
23 committed to the Department of Corrections or Department of  
24 Human Services Division of Mental Health, containing  
25 personal information pertaining to the person's victim or  
26 the victim's family, including, but not limited to, a

1 victim's home address, home telephone number, work or  
2 school address, work telephone number, social security  
3 number, or any other identifying information, except as may  
4 be relevant to a requester's current or potential case or  
5 claim.

6 (e-10) Law enforcement records of other persons  
7 requested by a person committed to the Department of  
8 Corrections, Department of Human Services Division of  
9 Mental Health, or a county jail, including, but not limited  
10 to, arrest and booking records, mug shots, and crime scene  
11 photographs, except as these records may be relevant to the  
12 requester's current or potential case or claim.

13 (f) Preliminary drafts, notes, recommendations,  
14 memoranda and other records in which opinions are  
15 expressed, or policies or actions are formulated, except  
16 that a specific record or relevant portion of a record  
17 shall not be exempt when the record is publicly cited and  
18 identified by the head of the public body. The exemption  
19 provided in this paragraph (f) extends to all those records  
20 of officers and agencies of the General Assembly that  
21 pertain to the preparation of legislative documents.

22 (g) Trade secrets and commercial or financial  
23 information obtained from a person or business where the  
24 trade secrets or commercial or financial information are  
25 furnished under a claim that they are proprietary,  
26 privileged or confidential, and that disclosure of the

1 trade secrets or commercial or financial information would  
2 cause competitive harm to the person or business, and only  
3 insofar as the claim directly applies to the records  
4 requested.

5 The information included under this exemption includes  
6 all trade secrets and commercial or financial information  
7 obtained by a public body, including a public pension fund,  
8 from a private equity fund or a privately held company  
9 within the investment portfolio of a private equity fund as  
10 a result of either investing or evaluating a potential  
11 investment of public funds in a private equity fund. The  
12 exemption contained in this item does not apply to the  
13 aggregate financial performance information of a private  
14 equity fund, nor to the identity of the fund's managers or  
15 general partners. The exemption contained in this item does  
16 not apply to the identity of a privately held company  
17 within the investment portfolio of a private equity fund,  
18 unless the disclosure of the identity of a privately held  
19 company may cause competitive harm.

20 Nothing contained in this paragraph (g) shall be  
21 construed to prevent a person or business from consenting  
22 to disclosure.

23 (h) Proposals and bids for any contract, grant, or  
24 agreement, including information which if it were  
25 disclosed would frustrate procurement or give an advantage  
26 to any person proposing to enter into a contractor

1 agreement with the body, until an award or final selection  
2 is made. Information prepared by or for the body in  
3 preparation of a bid solicitation shall be exempt until an  
4 award or final selection is made.

5 (i) Valuable formulae, computer geographic systems,  
6 designs, drawings and research data obtained or produced by  
7 any public body when disclosure could reasonably be  
8 expected to produce private gain or public loss. The  
9 exemption for "computer geographic systems" provided in  
10 this paragraph (i) does not extend to requests made by news  
11 media as defined in Section 2 of this Act when the  
12 requested information is not otherwise exempt and the only  
13 purpose of the request is to access and disseminate  
14 information regarding the health, safety, welfare, or  
15 legal rights of the general public.

16 (j) The following information pertaining to  
17 educational matters:

18 (i) test questions, scoring keys and other  
19 examination data used to administer an academic  
20 examination;

21 (ii) information received by a primary or  
22 secondary school, college, or university under its  
23 procedures for the evaluation of faculty members by  
24 their academic peers;

25 (iii) information concerning a school or  
26 university's adjudication of student disciplinary

1 cases, but only to the extent that disclosure would  
2 unavoidably reveal the identity of the student; and

3 (iv) course materials or research materials used  
4 by faculty members.

5 (k) Architects' plans, engineers' technical  
6 submissions, and other construction related technical  
7 documents for projects not constructed or developed in  
8 whole or in part with public funds and the same for  
9 projects constructed or developed with public funds,  
10 including but not limited to power generating and  
11 distribution stations and other transmission and  
12 distribution facilities, water treatment facilities,  
13 airport facilities, sport stadiums, convention centers,  
14 and all government owned, operated, or occupied buildings,  
15 but only to the extent that disclosure would compromise  
16 security.

17 (l) Minutes of meetings of public bodies closed to the  
18 public as provided in the Open Meetings Act until the  
19 public body makes the minutes available to the public under  
20 Section 2.06 of the Open Meetings Act.

21 (m) Communications between a public body and an  
22 attorney or auditor representing the public body that would  
23 not be subject to discovery in litigation, and materials  
24 prepared or compiled by or for a public body in  
25 anticipation of a criminal, civil or administrative  
26 proceeding upon the request of an attorney advising the



1 public body, and materials prepared or compiled with  
2 respect to internal audits of public bodies.

3 (n) Records relating to a public body's adjudication of  
4 employee grievances or disciplinary cases; however, this  
5 exemption shall not extend to the final outcome of cases in  
6 which discipline is imposed.

7 (o) Administrative or technical information associated  
8 with automated data processing operations, including but  
9 not limited to software, operating protocols, computer  
10 program abstracts, file layouts, source listings, object  
11 modules, load modules, user guides, documentation  
12 pertaining to all logical and physical design of  
13 computerized systems, employee manuals, and any other  
14 information that, if disclosed, would jeopardize the  
15 security of the system or its data or the security of  
16 materials exempt under this Section.

17 (p) Records relating to collective negotiating matters  
18 between public bodies and their employees or  
19 representatives, except that any final contract or  
20 agreement shall be subject to inspection and copying.

21 (q) Test questions, scoring keys, and other  
22 examination data used to determine the qualifications of an  
23 applicant for a license or employment.

24 (r) The records, documents, and information relating  
25 to real estate purchase negotiations until those  
26 negotiations have been completed or otherwise terminated.

1 With regard to a parcel involved in a pending or actually  
2 and reasonably contemplated eminent domain proceeding  
3 under the Eminent Domain Act, records, documents and  
4 information relating to that parcel shall be exempt except  
5 as may be allowed under discovery rules adopted by the  
6 Illinois Supreme Court. The records, documents and  
7 information relating to a real estate sale shall be exempt  
8 until a sale is consummated.

9 (s) Any and all proprietary information and records  
10 related to the operation of an intergovernmental risk  
11 management association or self-insurance pool or jointly  
12 self-administered health and accident cooperative or pool.  
13 Insurance or self insurance (including any  
14 intergovernmental risk management association or self  
15 insurance pool) claims, loss or risk management  
16 information, records, data, advice or communications.

17 (t) Information contained in or related to  
18 examination, operating, or condition reports prepared by,  
19 on behalf of, or for the use of a public body responsible  
20 for the regulation or supervision of financial  
21 institutions or insurance companies, unless disclosure is  
22 otherwise required by State law.

23 (u) Information that would disclose or might lead to  
24 the disclosure of secret or confidential information,  
25 codes, algorithms, programs, or private keys intended to be  
26 used to create electronic or digital signatures under the

1 Electronic Commerce Security Act.

2 (v) Vulnerability assessments, security measures, and  
3 response policies or plans that are designed to identify,  
4 prevent, or respond to potential attacks upon a community's  
5 population or systems, facilities, or installations, the  
6 destruction or contamination of which would constitute a  
7 clear and present danger to the health or safety of the  
8 community, but only to the extent that disclosure could  
9 reasonably be expected to jeopardize the effectiveness of  
10 the measures or the safety of the personnel who implement  
11 them or the public. Information exempt under this item may  
12 include such things as details pertaining to the  
13 mobilization or deployment of personnel or equipment, to  
14 the operation of communication systems or protocols, or to  
15 tactical operations.

16 (w) (Blank).

17 (x) Maps and other records regarding the location or  
18 security of generation, transmission, distribution,  
19 storage, gathering, treatment, or switching facilities  
20 owned by a utility, by a power generator, or by the  
21 Illinois Power Agency.

22 (y) Information contained in or related to proposals,  
23 bids, or negotiations related to electric power  
24 procurement under Section 1-75 of the Illinois Power Agency  
25 Act and Section 16-111.5 of the Public Utilities Act that  
26 is determined to be confidential and proprietary by the

1 Illinois Power Agency or by the Illinois Commerce  
2 Commission.

3 (z) Information about students exempted from  
4 disclosure under Sections 10-20.38 or 34-18.29 of the  
5 School Code, and information about undergraduate students  
6 enrolled at an institution of higher education exempted  
7 from disclosure under Section 25 of the Illinois Credit  
8 Card Marketing Act of 2009.

9 (aa) Information the disclosure of which is exempted  
10 under the Viatical Settlements Act of 2009.

11 (bb) Records and information provided to a mortality  
12 review team and records maintained by a mortality review  
13 team appointed under the Department of Juvenile Justice  
14 Mortality Review Team Act.

15 (cc) Information regarding interments, entombments, or  
16 inurnments of human remains that are submitted to the  
17 Cemetery Oversight Database under the Cemetery Care Act or  
18 the Cemetery Oversight Act, whichever is applicable.

19 (dd) Correspondence and records (i) that may not be  
20 disclosed under Section 11-9 of the Illinois Public Aid  
21 Code or (ii) that pertain to appeals under Section 11-8 of  
22 the Illinois Public Aid Code.

23 (ee) The names, addresses, or other personal  
24 information of persons who are minors and are also  
25 participants and registrants in programs of park  
26 districts, forest preserve districts, conservation

1 districts, recreation agencies, and special recreation  
2 associations.

3 (ff) The names, addresses, or other personal  
4 information of participants and registrants in programs of  
5 park districts, forest preserve districts, conservation  
6 districts, recreation agencies, and special recreation  
7 associations where such programs are targeted primarily to  
8 minors.

9 (gg) Confidential information described in Section  
10 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

11 (hh) The report submitted to the State Board of  
12 Education by the School Security and Standards Task Force  
13 under item (8) of subsection (d) of Section 2-3.160 of the  
14 School Code and any information contained in that report.

15 (ii) Records requested by persons committed to or  
16 detained by the Department of Human Services under the  
17 Sexually Violent Persons Commitment Act or committed to the  
18 Department of Corrections under the Sexually Dangerous  
19 Persons Act if those materials: (i) are available in the  
20 library of the facility where the individual is confined;  
21 (ii) include records from staff members' personnel files,  
22 staff rosters, or other staffing assignment information;  
23 or (iii) are available through an administrative request to  
24 the Department of Human Services or the Department of  
25 Corrections.

26 (jj) Confidential information described in Section

1 5-535 of the Civil Administrative Code of Illinois.

2 (1.5) Any information exempt from disclosure under the  
3 Judicial Privacy Act and the Public Safety and Justice Privacy  
4 Act shall be redacted from public records prior to disclosure  
5 under this Act.

6 (2) A public record that is not in the possession of a  
7 public body but is in the possession of a party with whom the  
8 agency has contracted to perform a governmental function on  
9 behalf of the public body, and that directly relates to the  
10 governmental function and is not otherwise exempt under this  
11 Act, shall be considered a public record of the public body,  
12 for purposes of this Act.

13 (3) This Section does not authorize withholding of  
14 information or limit the availability of records to the public,  
15 except as stated in this Section or otherwise provided in this  
16 Act.

17 (Source: P.A. 99-298, eff. 8-6-15; 99-346, eff. 1-1-16; 99-642,  
18 eff. 7-28-16; 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;  
19 100-732, eff. 8-3-18.)

20 Section 105. The Election Code is amended by adding Section  
21 10-10.3 as follows:

22 (10 ILCS 5/10-10.3 new)

23 Sec. 10-10.3. Removal of an official's address information  
24 from the certificate of nomination or nomination papers.

1       (a) As used in this Section, "home address" and "official"  
2 have the meanings given to those terms in Section 5 of the  
3 Public Safety and Justice Privacy Act.

4       (b) Upon expiration of the period for filing an objection  
5 to an official's certificate of nomination or nomination  
6 papers, an official who is a candidate may file a written  
7 request with the State Board of Elections for redaction of the  
8 official's home address information from his or her certificate  
9 of nomination or nomination papers. After receipt of the  
10 official's written request, the State Board of Elections shall  
11 redact or cause redaction of the official's home address from  
12 his or her certificate of nomination or nomination papers  
13 within 5 business days.

14       (c) Prior to expiration of the period for filing an  
15 objection to an official's certificate of nomination or  
16 nomination papers, the home address information from the  
17 certificate of nomination or nomination papers of an official  
18 who is a candidate is available for public inspection. After  
19 redaction of an official's home address information under  
20 subsection (b), the home address information is only available  
21 for an in camera inspection by the court reviewing an objection  
22 to the official's certificate of nomination or nomination  
23 papers.

24       Section 110. The Illinois Identification Card Act is  
25 amended by changing Sections 4 and 5 as follows:

1 (15 ILCS 335/4) (from Ch. 124, par. 24)

2 (Text of Section before amendment by P.A. 100-717)

3 Sec. 4. Identification card.

4 (a) The Secretary of State shall issue a standard Illinois  
5 Identification Card to any natural person who is a resident of  
6 the State of Illinois who applies for such card, or renewal  
7 thereof. No identification card shall be issued to any person  
8 who holds a valid foreign state identification card, license,  
9 or permit unless the person first surrenders to the Secretary  
10 of State the valid foreign state identification card, license,  
11 or permit. The card shall be prepared and supplied by the  
12 Secretary of State and shall include a photograph and signature  
13 or mark of the applicant. However, the Secretary of State may  
14 provide by rule for the issuance of Illinois Identification  
15 Cards without photographs if the applicant has a bona fide  
16 religious objection to being photographed or to the display of  
17 his or her photograph. The Illinois Identification Card may be  
18 used for identification purposes in any lawful situation only  
19 by the person to whom it was issued. As used in this Act,  
20 "photograph" means any color photograph or digitally produced  
21 and captured image of an applicant for an identification card.  
22 As used in this Act, "signature" means the name of a person as  
23 written by that person and captured in a manner acceptable to  
24 the Secretary of State.

25 (a-5) If an applicant for an identification card has a



1 current driver's license or instruction permit issued by the  
2 Secretary of State, the Secretary may require the applicant to  
3 utilize the same residence address and name on the  
4 identification card, driver's license, and instruction permit  
5 records maintained by the Secretary. The Secretary may  
6 promulgate rules to implement this provision.

7 (a-10) If the applicant is a judicial officer as defined in  
8 Section 1-10 of the Judicial Privacy Act, an official as  
9 defined in Section 5 of the Public Safety and Justice Privacy  
10 Act, or a peace officer, the applicant may elect to have his or  
11 her office or work address listed on the card instead of the  
12 applicant's residence or mailing address. The Secretary may  
13 promulgate rules to implement this provision. For the purposes  
14 of this subsection (a-10), "peace officer" means any person who  
15 by virtue of his or her office or public employment is vested  
16 by law with a duty to maintain public order or to make arrests  
17 for a violation of any penal statute of this State, whether  
18 that duty extends to all violations or is limited to specific  
19 violations.

20 (a-15) The Secretary of State may provide for an expedited  
21 process for the issuance of an Illinois Identification Card.  
22 The Secretary shall charge an additional fee for the expedited  
23 issuance of an Illinois Identification Card, to be set by rule,  
24 not to exceed \$75. All fees collected by the Secretary for  
25 expedited Illinois Identification Card service shall be  
26 deposited into the Secretary of State Special Services Fund.

1 The Secretary may adopt rules regarding the eligibility,  
2 process, and fee for an expedited Illinois Identification Card.  
3 If the Secretary of State determines that the volume of  
4 expedited identification card requests received on a given day  
5 exceeds the ability of the Secretary to process those requests  
6 in an expedited manner, the Secretary may decline to provide  
7 expedited services, and the additional fee for the expedited  
8 service shall be refunded to the applicant.

9 (a-20) The Secretary of State shall issue a standard  
10 Illinois Identification Card to a committed person upon release  
11 on parole, mandatory supervised release, aftercare release,  
12 final discharge, or pardon from the Department of Corrections  
13 or Department of Juvenile Justice, if the released person  
14 presents a certified copy of his or her birth certificate,  
15 social security card or other documents authorized by the  
16 Secretary, and 2 documents proving his or her Illinois  
17 residence address. Documents proving residence address may  
18 include any official document of the Department of Corrections  
19 or the Department of Juvenile Justice showing the released  
20 person's address after release and a Secretary of State  
21 prescribed certificate of residency form, which may be executed  
22 by Department of Corrections or Department of Juvenile Justice  
23 personnel.

24 (a-25) The Secretary of State shall issue a limited-term  
25 Illinois Identification Card valid for 90 days to a committed  
26 person upon release on parole, mandatory supervised release,

1 aftercare release, final discharge, or pardon from the  
2 Department of Corrections or Department of Juvenile Justice, if  
3 the released person is unable to present a certified copy of  
4 his or her birth certificate and social security card or other  
5 documents authorized by the Secretary, but does present a  
6 Secretary of State prescribed verification form completed by  
7 the Department of Corrections or Department of Juvenile  
8 Justice, verifying the released person's date of birth and  
9 social security number and 2 documents proving his or her  
10 Illinois residence address. The verification form must have  
11 been completed no more than 30 days prior to the date of  
12 application for the Illinois Identification Card. Documents  
13 proving residence address shall include any official document  
14 of the Department of Corrections or the Department of Juvenile  
15 Justice showing the person's address after release and a  
16 Secretary of State prescribed certificate of residency, which  
17 may be executed by Department of Corrections or Department of  
18 Juvenile Justice personnel.

19 Prior to the expiration of the 90-day period of the  
20 limited-term Illinois Identification Card, if the released  
21 person submits to the Secretary of State a certified copy of  
22 his or her birth certificate and his or her social security  
23 card or other documents authorized by the Secretary, a standard  
24 Illinois Identification Card shall be issued. A limited-term  
25 Illinois Identification Card may not be renewed.

26 (b) The Secretary of State shall issue a special Illinois

1 Identification Card, which shall be known as an Illinois Person  
2 with a Disability Identification Card, to any natural person  
3 who is a resident of the State of Illinois, who is a person  
4 with a disability as defined in Section 4A of this Act, who  
5 applies for such card, or renewal thereof. No Illinois Person  
6 with a Disability Identification Card shall be issued to any  
7 person who holds a valid foreign state identification card,  
8 license, or permit unless the person first surrenders to the  
9 Secretary of State the valid foreign state identification card,  
10 license, or permit. The Secretary of State shall charge no fee  
11 to issue such card. The card shall be prepared and supplied by  
12 the Secretary of State, and shall include a photograph and  
13 signature or mark of the applicant, a designation indicating  
14 that the card is an Illinois Person with a Disability  
15 Identification Card, and shall include a comprehensible  
16 designation of the type and classification of the applicant's  
17 disability as set out in Section 4A of this Act. However, the  
18 Secretary of State may provide by rule for the issuance of  
19 Illinois Person with a Disability Identification Cards without  
20 photographs if the applicant has a bona fide religious  
21 objection to being photographed or to the display of his or her  
22 photograph. If the applicant so requests, the card shall  
23 include a description of the applicant's disability and any  
24 information about the applicant's disability or medical  
25 history which the Secretary determines would be helpful to the  
26 applicant in securing emergency medical care. If a mark is used

1 in lieu of a signature, such mark shall be affixed to the card  
2 in the presence of two witnesses who attest to the authenticity  
3 of the mark. The Illinois Person with a Disability  
4 Identification Card may be used for identification purposes in  
5 any lawful situation by the person to whom it was issued.

6 The Illinois Person with a Disability Identification Card  
7 may be used as adequate documentation of disability in lieu of  
8 a physician's determination of disability, a determination of  
9 disability from a physician assistant, a determination of  
10 disability from an advanced practice registered nurse, or any  
11 other documentation of disability whenever any State law  
12 requires that a person with a disability provide such  
13 documentation of disability, however an Illinois Person with a  
14 Disability Identification Card shall not qualify the  
15 cardholder to participate in any program or to receive any  
16 benefit which is not available to all persons with like  
17 disabilities. Notwithstanding any other provisions of law, an  
18 Illinois Person with a Disability Identification Card, or  
19 evidence that the Secretary of State has issued an Illinois  
20 Person with a Disability Identification Card, shall not be used  
21 by any person other than the person named on such card to prove  
22 that the person named on such card is a person with a  
23 disability or for any other purpose unless the card is used for  
24 the benefit of the person named on such card, and the person  
25 named on such card consents to such use at the time the card is  
26 so used.

1           An optometrist's determination of a visual disability  
2 under Section 4A of this Act is acceptable as documentation for  
3 the purpose of issuing an Illinois Person with a Disability  
4 Identification Card.

5           When medical information is contained on an Illinois Person  
6 with a Disability Identification Card, the Office of the  
7 Secretary of State shall not be liable for any actions taken  
8 based upon that medical information.

9           (c) The Secretary of State shall provide that each original  
10 or renewal Illinois Identification Card or Illinois Person with  
11 a Disability Identification Card issued to a person under the  
12 age of 21 shall be of a distinct nature from those Illinois  
13 Identification Cards or Illinois Person with a Disability  
14 Identification Cards issued to individuals 21 years of age or  
15 older. The color designated for Illinois Identification Cards  
16 or Illinois Person with a Disability Identification Cards for  
17 persons under the age of 21 shall be at the discretion of the  
18 Secretary of State.

19           (c-1) Each original or renewal Illinois Identification  
20 Card or Illinois Person with a Disability Identification Card  
21 issued to a person under the age of 21 shall display the date  
22 upon which the person becomes 18 years of age and the date upon  
23 which the person becomes 21 years of age.

24           (c-3) The General Assembly recognizes the need to identify  
25 military veterans living in this State for the purpose of  
26 ensuring that they receive all of the services and benefits to

1 which they are legally entitled, including healthcare,  
2 education assistance, and job placement. To assist the State in  
3 identifying these veterans and delivering these vital services  
4 and benefits, the Secretary of State is authorized to issue  
5 Illinois Identification Cards and Illinois Person with a  
6 Disability Identification Cards with the word "veteran"  
7 appearing on the face of the cards. This authorization is  
8 predicated on the unique status of veterans. The Secretary may  
9 not issue any other identification card which identifies an  
10 occupation, status, affiliation, hobby, or other unique  
11 characteristics of the identification card holder which is  
12 unrelated to the purpose of the identification card.

13 (c-5) Beginning on or before July 1, 2015, the Secretary of  
14 State shall designate a space on each original or renewal  
15 identification card where, at the request of the applicant, the  
16 word "veteran" shall be placed. The veteran designation shall  
17 be available to a person identified as a veteran under  
18 subsection (b) of Section 5 of this Act who was discharged or  
19 separated under honorable conditions.

20 (d) The Secretary of State may issue a Senior Citizen  
21 discount card, to any natural person who is a resident of the  
22 State of Illinois who is 60 years of age or older and who  
23 applies for such a card or renewal thereof. The Secretary of  
24 State shall charge no fee to issue such card. The card shall be  
25 issued in every county and applications shall be made available  
26 at, but not limited to, nutrition sites, senior citizen centers

1 and Area Agencies on Aging. The applicant, upon receipt of such  
2 card and prior to its use for any purpose, shall have affixed  
3 thereon in the space provided therefor his signature or mark.

4 (e) The Secretary of State, in his or her discretion, may  
5 designate on each Illinois Identification Card or Illinois  
6 Person with a Disability Identification Card a space where the  
7 card holder may place a sticker or decal, issued by the  
8 Secretary of State, of uniform size as the Secretary may  
9 specify, that shall indicate in appropriate language that the  
10 card holder has renewed his or her Illinois Identification Card  
11 or Illinois Person with a Disability Identification Card.

12 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;  
13 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff. 7-1-17;  
14 100-513, eff. 1-1-18.)

15 (Text of Section after amendment by P.A. 100-717)

16 Sec. 4. Identification card.

17 (a) The Secretary of State shall issue a standard Illinois  
18 Identification Card to any natural person who is a resident of  
19 the State of Illinois who applies for such card, or renewal  
20 thereof. No identification card shall be issued to any person  
21 who holds a valid foreign state identification card, license,  
22 or permit unless the person first surrenders to the Secretary  
23 of State the valid foreign state identification card, license,  
24 or permit. The card shall be prepared and supplied by the  
25 Secretary of State and shall include a photograph and signature



1 or mark of the applicant. However, the Secretary of State may  
2 provide by rule for the issuance of Illinois Identification  
3 Cards without photographs if the applicant has a bona fide  
4 religious objection to being photographed or to the display of  
5 his or her photograph. The Illinois Identification Card may be  
6 used for identification purposes in any lawful situation only  
7 by the person to whom it was issued. As used in this Act,  
8 "photograph" means any color photograph or digitally produced  
9 and captured image of an applicant for an identification card.  
10 As used in this Act, "signature" means the name of a person as  
11 written by that person and captured in a manner acceptable to  
12 the Secretary of State.

13 (a-5) If an applicant for an identification card has a  
14 current driver's license or instruction permit issued by the  
15 Secretary of State, the Secretary may require the applicant to  
16 utilize the same residence address and name on the  
17 identification card, driver's license, and instruction permit  
18 records maintained by the Secretary. The Secretary may  
19 promulgate rules to implement this provision.

20 (a-10) If the applicant is a judicial officer as defined in  
21 Section 1-10 of the Judicial Privacy Act, an official as  
22 defined in Section 5 of the Public Safety and Justice Privacy  
23 Act, or a peace officer, the applicant may elect to have his or  
24 her office or work address listed on the card instead of the  
25 applicant's residence or mailing address. The Secretary may  
26 promulgate rules to implement this provision. For the purposes

1 of this subsection (a-10), "peace officer" means any person who  
2 by virtue of his or her office or public employment is vested  
3 by law with a duty to maintain public order or to make arrests  
4 for a violation of any penal statute of this State, whether  
5 that duty extends to all violations or is limited to specific  
6 violations.

7 (a-15) The Secretary of State may provide for an expedited  
8 process for the issuance of an Illinois Identification Card.  
9 The Secretary shall charge an additional fee for the expedited  
10 issuance of an Illinois Identification Card, to be set by rule,  
11 not to exceed \$75. All fees collected by the Secretary for  
12 expedited Illinois Identification Card service shall be  
13 deposited into the Secretary of State Special Services Fund.  
14 The Secretary may adopt rules regarding the eligibility,  
15 process, and fee for an expedited Illinois Identification Card.  
16 If the Secretary of State determines that the volume of  
17 expedited identification card requests received on a given day  
18 exceeds the ability of the Secretary to process those requests  
19 in an expedited manner, the Secretary may decline to provide  
20 expedited services, and the additional fee for the expedited  
21 service shall be refunded to the applicant.

22 (a-20) The Secretary of State shall issue a standard  
23 Illinois Identification Card to a committed person upon release  
24 on parole, mandatory supervised release, aftercare release,  
25 final discharge, or pardon from the Department of Corrections  
26 or Department of Juvenile Justice, if the released person

1 presents a certified copy of his or her birth certificate,  
2 social security card or other documents authorized by the  
3 Secretary, and 2 documents proving his or her Illinois  
4 residence address. Documents proving residence address may  
5 include any official document of the Department of Corrections  
6 or the Department of Juvenile Justice showing the released  
7 person's address after release and a Secretary of State  
8 prescribed certificate of residency form, which may be executed  
9 by Department of Corrections or Department of Juvenile Justice  
10 personnel.

11 (a-25) The Secretary of State shall issue a limited-term  
12 Illinois Identification Card valid for 90 days to a committed  
13 person upon release on parole, mandatory supervised release,  
14 aftercare release, final discharge, or pardon from the  
15 Department of Corrections or Department of Juvenile Justice, if  
16 the released person is unable to present a certified copy of  
17 his or her birth certificate and social security card or other  
18 documents authorized by the Secretary, but does present a  
19 Secretary of State prescribed verification form completed by  
20 the Department of Corrections or Department of Juvenile  
21 Justice, verifying the released person's date of birth and  
22 social security number and 2 documents proving his or her  
23 Illinois residence address. The verification form must have  
24 been completed no more than 30 days prior to the date of  
25 application for the Illinois Identification Card. Documents  
26 proving residence address shall include any official document

1 of the Department of Corrections or the Department of Juvenile  
2 Justice showing the person's address after release and a  
3 Secretary of State prescribed certificate of residency, which  
4 may be executed by Department of Corrections or Department of  
5 Juvenile Justice personnel.

6 Prior to the expiration of the 90-day period of the  
7 limited-term Illinois Identification Card, if the released  
8 person submits to the Secretary of State a certified copy of  
9 his or her birth certificate and his or her social security  
10 card or other documents authorized by the Secretary, a standard  
11 Illinois Identification Card shall be issued. A limited-term  
12 Illinois Identification Card may not be renewed.

13 (a-30) The Secretary of State shall issue a standard  
14 Illinois Identification Card to a person upon conditional  
15 release or absolute discharge from the custody of the  
16 Department of Human Services, if the person presents a  
17 certified copy of his or her birth certificate, social security  
18 card, or other documents authorized by the Secretary, and a  
19 document proving his or her Illinois residence address. The  
20 Secretary of State shall issue a standard Illinois  
21 Identification Card to a person no sooner than 14 days prior to  
22 his or her conditional release or absolute discharge if  
23 personnel from the Department of Human Services bring the  
24 person to a Secretary of State location with the required  
25 documents. Documents proving residence address may include any  
26 official document of the Department of Human Services showing

1 the person's address after release and a Secretary of State  
2 prescribed verification form, which may be executed by  
3 personnel of the Department of Human Services.

4 (a-35) The Secretary of State shall issue a limited-term  
5 Illinois Identification Card valid for 90 days to a person upon  
6 conditional release or absolute discharge from the custody of  
7 the Department of Human Services, if the person is unable to  
8 present a certified copy of his or her birth certificate and  
9 social security card or other documents authorized by the  
10 Secretary, but does present a Secretary of State prescribed  
11 verification form completed by the Department of Human  
12 Services, verifying the person's date of birth and social  
13 security number, and a document proving his or her Illinois  
14 residence address. The verification form must have been  
15 completed no more than 30 days prior to the date of application  
16 for the Illinois Identification Card. The Secretary of State  
17 shall issue a limited-term Illinois Identification Card to a  
18 person no sooner than 14 days prior to his or her conditional  
19 release or absolute discharge if personnel from the Department  
20 of Human Services bring the person to a Secretary of State  
21 location with the required documents. Documents proving  
22 residence address shall include any official document of the  
23 Department of Human Services showing the person's address after  
24 release and a Secretary of State prescribed verification form,  
25 which may be executed by personnel of the Department of Human  
26 Services.

1           (b) The Secretary of State shall issue a special Illinois  
2 Identification Card, which shall be known as an Illinois Person  
3 with a Disability Identification Card, to any natural person  
4 who is a resident of the State of Illinois, who is a person  
5 with a disability as defined in Section 4A of this Act, who  
6 applies for such card, or renewal thereof. No Illinois Person  
7 with a Disability Identification Card shall be issued to any  
8 person who holds a valid foreign state identification card,  
9 license, or permit unless the person first surrenders to the  
10 Secretary of State the valid foreign state identification card,  
11 license, or permit. The Secretary of State shall charge no fee  
12 to issue such card. The card shall be prepared and supplied by  
13 the Secretary of State, and shall include a photograph and  
14 signature or mark of the applicant, a designation indicating  
15 that the card is an Illinois Person with a Disability  
16 Identification Card, and shall include a comprehensible  
17 designation of the type and classification of the applicant's  
18 disability as set out in Section 4A of this Act. However, the  
19 Secretary of State may provide by rule for the issuance of  
20 Illinois Person with a Disability Identification Cards without  
21 photographs if the applicant has a bona fide religious  
22 objection to being photographed or to the display of his or her  
23 photograph. If the applicant so requests, the card shall  
24 include a description of the applicant's disability and any  
25 information about the applicant's disability or medical  
26 history which the Secretary determines would be helpful to the

1 applicant in securing emergency medical care. If a mark is used  
2 in lieu of a signature, such mark shall be affixed to the card  
3 in the presence of two witnesses who attest to the authenticity  
4 of the mark. The Illinois Person with a Disability  
5 Identification Card may be used for identification purposes in  
6 any lawful situation by the person to whom it was issued.

7 The Illinois Person with a Disability Identification Card  
8 may be used as adequate documentation of disability in lieu of  
9 a physician's determination of disability, a determination of  
10 disability from a physician assistant, a determination of  
11 disability from an advanced practice registered nurse, or any  
12 other documentation of disability whenever any State law  
13 requires that a person with a disability provide such  
14 documentation of disability, however an Illinois Person with a  
15 Disability Identification Card shall not qualify the  
16 cardholder to participate in any program or to receive any  
17 benefit which is not available to all persons with like  
18 disabilities. Notwithstanding any other provisions of law, an  
19 Illinois Person with a Disability Identification Card, or  
20 evidence that the Secretary of State has issued an Illinois  
21 Person with a Disability Identification Card, shall not be used  
22 by any person other than the person named on such card to prove  
23 that the person named on such card is a person with a  
24 disability or for any other purpose unless the card is used for  
25 the benefit of the person named on such card, and the person  
26 named on such card consents to such use at the time the card is

1 so used.

2 An optometrist's determination of a visual disability  
3 under Section 4A of this Act is acceptable as documentation for  
4 the purpose of issuing an Illinois Person with a Disability  
5 Identification Card.

6 When medical information is contained on an Illinois Person  
7 with a Disability Identification Card, the Office of the  
8 Secretary of State shall not be liable for any actions taken  
9 based upon that medical information.

10 (c) The Secretary of State shall provide that each original  
11 or renewal Illinois Identification Card or Illinois Person with  
12 a Disability Identification Card issued to a person under the  
13 age of 21 shall be of a distinct nature from those Illinois  
14 Identification Cards or Illinois Person with a Disability  
15 Identification Cards issued to individuals 21 years of age or  
16 older. The color designated for Illinois Identification Cards  
17 or Illinois Person with a Disability Identification Cards for  
18 persons under the age of 21 shall be at the discretion of the  
19 Secretary of State.

20 (c-1) Each original or renewal Illinois Identification  
21 Card or Illinois Person with a Disability Identification Card  
22 issued to a person under the age of 21 shall display the date  
23 upon which the person becomes 18 years of age and the date upon  
24 which the person becomes 21 years of age.

25 (c-3) The General Assembly recognizes the need to identify  
26 military veterans living in this State for the purpose of



1 ensuring that they receive all of the services and benefits to  
2 which they are legally entitled, including healthcare,  
3 education assistance, and job placement. To assist the State in  
4 identifying these veterans and delivering these vital services  
5 and benefits, the Secretary of State is authorized to issue  
6 Illinois Identification Cards and Illinois Person with a  
7 Disability Identification Cards with the word "veteran"  
8 appearing on the face of the cards. This authorization is  
9 predicated on the unique status of veterans. The Secretary may  
10 not issue any other identification card which identifies an  
11 occupation, status, affiliation, hobby, or other unique  
12 characteristics of the identification card holder which is  
13 unrelated to the purpose of the identification card.

14 (c-5) Beginning on or before July 1, 2015, the Secretary of  
15 State shall designate a space on each original or renewal  
16 identification card where, at the request of the applicant, the  
17 word "veteran" shall be placed. The veteran designation shall  
18 be available to a person identified as a veteran under  
19 subsection (b) of Section 5 of this Act who was discharged or  
20 separated under honorable conditions.

21 (d) The Secretary of State may issue a Senior Citizen  
22 discount card, to any natural person who is a resident of the  
23 State of Illinois who is 60 years of age or older and who  
24 applies for such a card or renewal thereof. The Secretary of  
25 State shall charge no fee to issue such card. The card shall be  
26 issued in every county and applications shall be made available

1 at, but not limited to, nutrition sites, senior citizen centers  
2 and Area Agencies on Aging. The applicant, upon receipt of such  
3 card and prior to its use for any purpose, shall have affixed  
4 thereon in the space provided therefor his signature or mark.

5 (e) The Secretary of State, in his or her discretion, may  
6 designate on each Illinois Identification Card or Illinois  
7 Person with a Disability Identification Card a space where the  
8 card holder may place a sticker or decal, issued by the  
9 Secretary of State, of uniform size as the Secretary may  
10 specify, that shall indicate in appropriate language that the  
11 card holder has renewed his or her Illinois Identification Card  
12 or Illinois Person with a Disability Identification Card.

13 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;  
14 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff. 7-1-17;  
15 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

16 (15 ILCS 335/5) (from Ch. 124, par. 25)

17 Sec. 5. Applications.

18 (a) Any natural person who is a resident of the State of  
19 Illinois may file an application for an identification card, or  
20 for the renewal thereof, in a manner prescribed by the  
21 Secretary. Each original application shall be completed by the  
22 applicant in full and shall set forth the legal name, residence  
23 address and zip code, social security number, birth date, sex  
24 and a brief description of the applicant. The applicant shall  
25 be photographed, unless the Secretary of State has provided by

1 rule for the issuance of identification cards without  
2 photographs and the applicant is deemed eligible for an  
3 identification card without a photograph under the terms and  
4 conditions imposed by the Secretary of State, and he or she  
5 shall also submit any other information as the Secretary may  
6 deem necessary or such documentation as the Secretary may  
7 require to determine the identity of the applicant. In addition  
8 to the residence address, the Secretary may allow the applicant  
9 to provide a mailing address. If the applicant is a judicial  
10 officer as defined in Section 1-10 of the Judicial Privacy Act,  
11 an official as defined in Section 5 of the Public Safety and  
12 Justice Privacy Act, or a peace officer, the applicant may  
13 elect to have his or her office or work address in lieu of the  
14 applicant's residence or mailing address. An applicant for an  
15 Illinois Person with a Disability Identification Card must also  
16 submit with each original or renewal application, on forms  
17 prescribed by the Secretary, such documentation as the  
18 Secretary may require, establishing that the applicant is a  
19 "person with a disability" as defined in Section 4A of this  
20 Act, and setting forth the applicant's type and class of  
21 disability as set forth in Section 4A of this Act. For the  
22 purposes of this subsection (a), "peace officer" means any  
23 person who by virtue of his or her office or public employment  
24 is vested by law with a duty to maintain public order or to  
25 make arrests for a violation of any penal statute of this  
26 State, whether that duty extends to all violations or is

1 limited to specific violations.

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 115. The Illinois Vehicle Code is amended by  
10 changing Sections 3-405, 6-106, and 6-110 as follows:

11 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

12 Sec. 3-405. Application for registration.

13 (a) Every owner of a vehicle subject to registration under  
14 this Code shall make application to the Secretary of State for  
15 the registration of such vehicle upon the appropriate form or  
16 forms furnished by the Secretary. Every such application shall  
17 bear the signature of the owner written with pen and ink and  
18 contain:

19 1. The name, domicile address, as defined in Section  
20 1-115.5 of this Code, (except as otherwise provided in this  
21 paragraph 1), mail address of the owner or business address  
22 of the owner if a firm, association, or corporation, and,  
23 if available, email address of the owner. If the mailing  
24 address is a post office box number, the address listed on

1 the driver license record may be used to verify residence.  
2 A police officer, a deputy sheriff, an elected sheriff, a  
3 law enforcement officer for the Department of State Police,  
4 a fire investigator, a state's attorney, an assistant  
5 state's attorney, a state's attorney special investigator,  
6 an official, or a judicial officer may elect to furnish the  
7 address of the headquarters of the governmental entity,  
8 police district, or business address where he or she works  
9 instead of his or her domicile address, in which case that  
10 address shall be deemed to be his or her domicile address  
11 for all purposes under this Chapter 3. The spouse and  
12 children of a person who may elect under this paragraph 1  
13 to furnish the address of the headquarters of the  
14 government entity, police district, or business address  
15 where the person works instead of the person's domicile  
16 address may, if they reside with that person, also elect to  
17 furnish the address of the headquarters of the government  
18 entity, police district, or business address where the  
19 person works as their domicile address, in which case that  
20 address shall be deemed to be their domicile address for  
21 all purposes under this Chapter 3. In this paragraph 1: (A)  
22 "police officer" has the meaning ascribed to "policeman" in  
23 Section 10-3-1 of the Illinois Municipal Code; (B) "deputy  
24 sheriff" means a deputy sheriff appointed under Section  
25 3-6008 of the Counties Code; (C) "elected sheriff" means a  
26 sheriff commissioned pursuant to Section 3-6001 of the

1 Counties Code; (D) "fire investigator" means a person  
2 classified as a peace officer under the Peace Officer Fire  
3 Investigation Act; (E) "state's attorney", "assistant  
4 state's attorney", and "state's attorney special  
5 investigator" mean a state's attorney, assistant state's  
6 attorney, and state's attorney special investigator  
7 commissioned or appointed under Division 3-9 of the  
8 Counties Code; ~~and~~ (F) "judicial officer" has the meaning  
9 ascribed to it in Section 1-10 of the Judicial Privacy Act;  
10 and (G) "official" has the meaning ascribed to it in  
11 Section 5 of the Public Safety and Justice Privacy Act.

12 2. A description of the vehicle, including such  
13 information as is required in an application for a  
14 certificate of title, determined under such standard  
15 rating as may be prescribed by the Secretary.

16 3. (Blank).

17 4. Such further information as may reasonably be  
18 required by the Secretary to enable him to determine  
19 whether the vehicle is lawfully entitled to registration  
20 and the owner entitled to a certificate of title.

21 5. An affirmation by the applicant that all information  
22 set forth is true and correct. If the application is for  
23 the registration of a motor vehicle, the applicant also  
24 shall affirm that the motor vehicle is insured as required  
25 by this Code, that such insurance will be maintained  
26 throughout the period for which the motor vehicle shall be

1 registered, and that neither the owner, nor any person  
2 operating the motor vehicle with the owner's permission,  
3 shall operate the motor vehicle unless the required  
4 insurance is in effect. If the person signing the  
5 affirmation is not the sole owner of the vehicle, such  
6 person shall be deemed to have affirmed on behalf of all  
7 the owners of the vehicle. If the person signing the  
8 affirmation is not an owner of the vehicle, such person  
9 shall be deemed to have affirmed on behalf of the owner or  
10 owners of the vehicle. The lack of signature on the  
11 application shall not in any manner exempt the owner or  
12 owners from any provisions, requirements or penalties of  
13 this Code.

14 (b) When such application refers to a new vehicle purchased  
15 from a dealer the application shall be accompanied by a  
16 Manufacturer's Statement of Origin from the dealer, and a  
17 statement showing any lien retained by the dealer.

18 (Source: P.A. 100-145, eff. 1-1-18.)

19 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

21 (a) Every application for any permit or license authorized  
22 to be issued under this Code shall be made upon a form  
23 furnished by the Secretary of State. Every application shall be  
24 accompanied by the proper fee and payment of such fee shall  
25 entitle the applicant to not more than 3 attempts to pass the



1 examination within a period of one year after the date of  
2 application.

3 (b) Every application shall state the legal name, social  
4 security number, zip code, date of birth, sex, and residence  
5 address of the applicant; briefly describe the applicant; state  
6 whether the applicant has theretofore been licensed as a  
7 driver, and, if so, when and by what state or country, and  
8 whether any such license has ever been cancelled, suspended,  
9 revoked or refused, and, if so, the date and reason for such  
10 cancellation, suspension, revocation or refusal; shall include  
11 an affirmation by the applicant that all information set forth  
12 is true and correct; and shall bear the applicant's signature.  
13 In addition to the residence address, the Secretary may allow  
14 the applicant to provide a mailing address. In the case of an  
15 applicant who is a judicial officer, official, or peace  
16 officer, the Secretary may allow the applicant to provide an  
17 office or work address in lieu of a residence or mailing  
18 address. The application form may also require the statement of  
19 such additional relevant information as the Secretary of State  
20 shall deem necessary to determine the applicant's competency  
21 and eligibility. The Secretary of State may, in his discretion,  
22 by rule or regulation, provide that an application for a  
23 drivers license or permit may include a suitable photograph of  
24 the applicant in the form prescribed by the Secretary, and he  
25 may further provide that each drivers license shall include a  
26 photograph of the driver. The Secretary of State may utilize a

1 photograph process or system most suitable to deter alteration  
2 or improper reproduction of a drivers license and to prevent  
3 substitution of another photo thereon. For the purposes of this  
4 subsection (b) ~~is~~:

5 "Official" has the meaning ascribed to it in Section 5 of  
6 the Public Safety and Justice Privacy Act.

7 "Peace ~~peace~~ officer" means any person who by virtue of his  
8 or her office or public employment is vested by law with a duty  
9 to maintain public order or to make arrests for a violation of  
10 any penal statute of this State, whether that duty extends to  
11 all violations or is limited to specific violations.

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.)

16 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

17 Sec. 6-110. Licenses issued to drivers.

18 (a) The Secretary of State shall issue to every qualifying  
19 applicant a driver's license as applied for, which license  
20 shall bear a distinguishing number assigned to the licensee,  
21 the legal name, signature, zip code, date of birth, residence  
22 address, and a brief description of the licensee.

23 Licenses issued shall also indicate the classification and  
24 the restrictions under Section 6-104 of this Code. The  
25 Secretary may adopt rules to establish informational

1 restrictions that can be placed on the driver's license  
2 regarding specific conditions of the licensee.

3 A driver's license issued may, in the discretion of the  
4 Secretary, include a suitable photograph of a type prescribed  
5 by the Secretary.

6 (a-1) If the licensee is less than 18 years of age, unless  
7 one of the exceptions in subsection (a-2) apply, the license  
8 shall, as a matter of law, be invalid for the operation of any  
9 motor vehicle during the following times:

10 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

11 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on  
12 Sunday; and

13 (C) Between 10:00 p.m. on Sunday to Thursday,  
14 inclusive, and 6:00 a.m. on the following day.

15 (a-2) The driver's license of a person under the age of 18  
16 shall not be invalid as described in subsection (a-1) of this  
17 Section if the licensee under the age of 18 was:

18 (1) accompanied by the licensee's parent or guardian or  
19 other person in custody or control of the minor;

20 (2) on an errand at the direction of the minor's parent  
21 or guardian, without any detour or stop;

22 (3) in a motor vehicle involved in interstate travel;

23 (4) going to or returning home from an employment  
24 activity, without any detour or stop;

25 (5) involved in an emergency;

26 (6) going to or returning home from, without any detour

1 or stop, an official school, religious, or other  
2 recreational activity supervised by adults and sponsored  
3 by a government or governmental agency, a civic  
4 organization, or another similar entity that takes  
5 responsibility for the licensee, without any detour or  
6 stop;

7 (7) exercising First Amendment rights protected by the  
8 United States Constitution, such as the free exercise of  
9 religion, freedom of speech, and the right of assembly; or

10 (8) married or had been married or is an emancipated  
11 minor under the Emancipation of Minors Act.

12 (a-2.5) The driver's license of a person who is 17 years of  
13 age and has been licensed for at least 12 months is not invalid  
14 as described in subsection (a-1) of this Section while the  
15 licensee is participating as an assigned driver in a Safe Rides  
16 program that meets the following criteria:

17 (1) the program is sponsored by the Boy Scouts of  
18 America or another national public service organization;  
19 and

20 (2) the sponsoring organization carries liability  
21 insurance covering the program.

22 (a-3) If a graduated driver's license holder over the age  
23 of 18 committed an offense against traffic regulations  
24 governing the movement of vehicles or any violation of Section  
25 6-107 or Section 12-603.1 of this Code in the 6 months prior to  
26 the graduated driver's license holder's 18th birthday, and was

1 subsequently convicted of the offense, the provisions of  
2 subsection (a-1) shall continue to apply until such time as a  
3 period of 6 consecutive months has elapsed without an  
4 additional violation and subsequent conviction of an offense  
5 against traffic regulations governing the movement of vehicles  
6 or Section 6-107 or Section 12-603.1 of this Code.

7 (a-4) If an applicant for a driver's license or instruction  
8 permit has a current identification card issued by the  
9 Secretary of State, the Secretary may require the applicant to  
10 utilize the same residence address and name on the  
11 identification card, driver's license, and instruction permit  
12 records maintained by the Secretary. The Secretary may  
13 promulgate rules to implement this provision.

14 (a-5) If an applicant for a driver's license is a judicial  
15 officer, an official, or a peace officer, the applicant may  
16 elect to have his or her office or work address listed on the  
17 license instead of the applicant's residence or mailing  
18 address. The Secretary of State shall adopt rules to implement  
19 this subsection (a-5). For the purposes of this subsection  
20 (a-5):

21 "Official" has the meaning ascribed to it in Section 5 of  
22 the Public Safety and Justice Privacy Act.

23 "Peace ~~peace~~ officer" means any person who by virtue of his  
24 or her office or public employment is vested by law with a duty  
25 to maintain public order or to make arrests for a violation of  
26 any penal statute of this State, whether that duty extends to

1 all violations or is limited to specific violations.

2 (b) Until the Secretary of State establishes a First Person  
3 Consent organ and tissue donor registry under Section 6-117 of  
4 this Code, the Secretary of State shall provide a format on the  
5 reverse of each driver's license issued which the licensee may  
6 use to execute a document of gift conforming to the provisions  
7 of the Illinois Anatomical Gift Act. The format shall allow the  
8 licensee to indicate the gift intended, whether specific  
9 organs, any organ, or the entire body, and shall accommodate  
10 the signatures of the donor and 2 witnesses. The Secretary  
11 shall also inform each applicant or licensee of this format,  
12 describe the procedure for its execution, and may offer the  
13 necessary witnesses; provided that in so doing, the Secretary  
14 shall advise the applicant or licensee that he or she is under  
15 no compulsion to execute a document of gift. A brochure  
16 explaining this method of executing an anatomical gift document  
17 shall be given to each applicant or licensee. The brochure  
18 shall advise the applicant or licensee that he or she is under  
19 no compulsion to execute a document of gift, and that he or she  
20 may wish to consult with family, friends or clergy before doing  
21 so. The Secretary of State may undertake additional efforts,  
22 including education and awareness activities, to promote organ  
23 and tissue donation.

24 (c) The Secretary of State shall designate on each driver's  
25 license issued a space where the licensee may place a sticker  
26 or decal of the uniform size as the Secretary may specify,



1 which sticker or decal may indicate in appropriate language  
2 that the owner of the license carries an Emergency Medical  
3 Information Card.

4 The sticker may be provided by any person, hospital,  
5 school, medical group, or association interested in assisting  
6 in implementing the Emergency Medical Information Card, but  
7 shall meet the specifications as the Secretary may by rule or  
8 regulation require.

9 (d) The Secretary of State shall designate on each driver's  
10 license issued a space where the licensee may indicate his  
11 blood type and RH factor.

12 (e) The Secretary of State shall provide that each original  
13 or renewal driver's license issued to a licensee under 21 years  
14 of age shall be of a distinct nature from those driver's  
15 licenses issued to individuals 21 years of age and older. The  
16 color designated for driver's licenses for licensees under 21  
17 years of age shall be at the discretion of the Secretary of  
18 State.

19 (e-1) The Secretary shall provide that each driver's  
20 license issued to a person under the age of 21 displays the  
21 date upon which the person becomes 18 years of age and the date  
22 upon which the person becomes 21 years of age.

23 (e-3) The General Assembly recognizes the need to identify  
24 military veterans living in this State for the purpose of  
25 ensuring that they receive all of the services and benefits to  
26 which they are legally entitled, including healthcare,

1 education assistance, and job placement. To assist the State in  
2 identifying these veterans and delivering these vital services  
3 and benefits, the Secretary of State is authorized to issue  
4 drivers' licenses with the word "veteran" appearing on the face  
5 of the licenses. This authorization is predicated on the unique  
6 status of veterans. The Secretary may not issue any other  
7 driver's license which identifies an occupation, status,  
8 affiliation, hobby, or other unique characteristics of the  
9 license holder which is unrelated to the purpose of the  
10 driver's license.

11 (e-5) Beginning on or before July 1, 2015, the Secretary of  
12 State shall designate a space on each original or renewal  
13 driver's license where, at the request of the applicant, the  
14 word "veteran" shall be placed. The veteran designation shall  
15 be available to a person identified as a veteran under  
16 subsection (e) of Section 6-106 of this Code who was discharged  
17 or separated under honorable conditions.

18 (f) The Secretary of State shall inform all Illinois  
19 licensed commercial motor vehicle operators of the  
20 requirements of the Uniform Commercial Driver License Act,  
21 Article V of this Chapter, and shall make provisions to insure  
22 that all drivers, seeking to obtain a commercial driver's  
23 license, be afforded an opportunity prior to April 1, 1992, to  
24 obtain the license. The Secretary is authorized to extend  
25 driver's license expiration dates, and assign specific times,  
26 dates and locations where these commercial driver's tests shall

1 be conducted. Any applicant, regardless of the current  
2 expiration date of the applicant's driver's license, may be  
3 subject to any assignment by the Secretary. Failure to comply  
4 with the Secretary's assignment may result in the applicant's  
5 forfeiture of an opportunity to receive a commercial driver's  
6 license prior to April 1, 1992.

7 (g) The Secretary of State shall designate on a driver's  
8 license issued, a space where the licensee may indicate that he  
9 or she has drafted a living will in accordance with the  
10 Illinois Living Will Act or a durable power of attorney for  
11 health care in accordance with the Illinois Power of Attorney  
12 Act.

13 (g-1) The Secretary of State, in his or her discretion, may  
14 designate on each driver's license issued a space where the  
15 licensee may place a sticker or decal, issued by the Secretary  
16 of State, of uniform size as the Secretary may specify, that  
17 shall indicate in appropriate language that the owner of the  
18 license has renewed his or her driver's license.

19 (h) A person who acts in good faith in accordance with the  
20 terms of this Section is not liable for damages in any civil  
21 action or subject to prosecution in any criminal proceeding for  
22 his or her act.

23 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847,  
24 eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff. 1-1-14; 98-463,  
25 eff. 8-16-13.)

1           Section 995. No acceleration or delay. Where this Act makes  
2 changes in a statute that is represented in this Act by text  
3 that is not yet or no longer in effect (for example, a Section  
4 represented by multiple versions), the use of that text does  
5 not accelerate or delay the taking effect of (i) the changes  
6 made by this Act or (ii) provisions derived from any other  
7 Public Act.

8           Section 999. Effective date. This Act takes effect upon  
9 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 5 ILCS 140/7 from Ch. 116, par. 207

5 10 ILCS 5/10-10.3 new

6 15 ILCS 335/4 from Ch. 124, par. 24

7 15 ILCS 335/5 from Ch. 124, par. 25

8 625 ILCS 5/3-405 from Ch. 95 1/2, par. 3-405

9 625 ILCS 5/6-106 from Ch. 95 1/2, par. 6-106

10 625 ILCS 5/6-110 from Ch. 95 1/2, par. 6-110