

SB2269



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2269

Introduced 10/28/2019, by

SYNOPSIS AS INTRODUCED:

15 ILCS 335/11

from Ch. 124, par. 31

625 ILCS 5/6-110.1

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Provides that the Secretary of State shall not provide facial recognition search services or photographs obtained in the process of issuing an identification card or a driver's license or permit to any federal, State, or local law enforcement agency or other governmental entity for the purpose of enforcing federal immigration laws. Effective immediately.

LRB101 13584 RJF 62436 b

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 Illinois Identification Card Act is amended
5 by changing Section 11 as follows:

6 (15 ILCS 335/11) (from Ch. 124, par. 31)

7 Sec. 11. Disclosure of information.

8 (a) The Secretary may make a search of his records and
9 furnish information as to whether a person has a current
10 Standard Illinois Identification Card or an Illinois Person
11 with a Disability Identification Card then on file, upon
12 receipt of a written application therefor accompanied with the
13 prescribed fee. However, the Secretary may not disclose medical
14 information concerning an individual to any person, public
15 agency, private agency, corporation or governmental body
16 unless the individual has submitted a written request for the
17 information or unless the individual has given prior written
18 consent for the release of the information to a specific person
19 or entity. This exception shall not apply to: (1) offices and
20 employees of the Secretary who have a need to know the medical
21 information in performance of their official duties, or (2)
22 orders of a court of competent jurisdiction. When medical
23 information is disclosed by the Secretary in accordance with

1 the provisions of this Section, no liability shall rest with
2 the Office of the Secretary of State as the information is
3 released for informational purposes only.

4 (b) Except as otherwise provided in this Section, the ~~The~~
5 Secretary may release personally identifying information or
6 highly restricted personal information only to:

7 (1) officers and employees of the Secretary who have a
8 need to know that information;

9 (2) other governmental agencies for use in their
10 official governmental functions;

11 (3) law enforcement agencies that need the information
12 for a criminal or civil investigation;

13 (3-5) the State Board of Elections for the purpose of
14 providing the signatures required by a local election
15 authority to register a voter through an online voter
16 registration system or as may be required by an agreement
17 the State Board of Elections has entered into with a
18 multi-state voter registration list maintenance system; or

19 (4) any entity that the Secretary has authorized, by
20 rule, to receive this information.

21 (c) The Secretary may not disclose an individual's social
22 security number or any associated information obtained from the
23 Social Security Administration without the written request or
24 consent of the individual except: (i) to officers and employees
25 of the Secretary who have a need to know the social security
26 number in the performance of their official duties; (ii) to law

1 enforcement officials for a lawful civil or criminal law
2 enforcement investigation if the head of the law enforcement
3 agency has made a written request to the Secretary specifying
4 the law enforcement investigation for which the social security
5 number is being sought; (iii) under a lawful court order signed
6 by a judge; or (iv) to the Illinois Department of Veterans'
7 Affairs for the purpose of confirming veteran status.

8 (d) The Secretary of State shall not provide facial
9 recognition search services or photographs obtained in the
10 process of issuing an identification card to any federal,
11 State, or local law enforcement agency or other governmental
12 entity for the purpose of enforcing federal immigration laws.

13 (Source: P.A. 97-739, eff. 1-1-13; 97-1064, eff. 1-1-13;
14 98-115, eff. 7-29-13; 98-463, eff. 8-16-13; 98-1171, eff.
15 6-1-15.)

16 Section 10. The Illinois Vehicle Code is amended by
17 changing Section 6-110.1 as follows:

18 (625 ILCS 5/6-110.1)

19 Sec. 6-110.1. Confidentiality of captured photographs or
20 images.

21 (a) The Secretary of State shall maintain a file on or
22 contract to file all photographs and signatures obtained in the
23 process of issuing a driver's license, permit, or
24 identification card. Except as otherwise provided in this

1 Section, the ~~The~~ photographs and signatures shall be
2 confidential and shall not be disclosed except to the following
3 persons:

4 (1) the individual upon written request;

5 (2) officers and employees of the Secretary of State
6 who have a need to have access to the stored images for
7 purposes of issuing and controlling driver's licenses,
8 permits, or identification cards;

9 (3) law enforcement officials for a lawful civil or
10 criminal law enforcement investigation;

11 (3-5) the State Board of Elections for the sole purpose
12 of providing the signatures required by a local election
13 authority to register a voter through an online voter
14 registration system;

15 (3-10) officers and employees of the Secretary of State
16 who have a need to have access to the stored images for
17 purposes of issuing and controlling notary public
18 commissions and for the purpose of providing the signatures
19 required to process online applications for appointment
20 and commission as notaries public; or

21 (4) other entities that the Secretary may exempt by
22 rule.

23 (b) The Secretary of State shall not provide facial
24 recognition search services or photographs obtained in the
25 process of issuing a driver's license or permit to any federal,
26 State, or local law enforcement agency or other governmental

1 entity for the purpose of enforcing federal immigration laws.

2 (Source: P.A. 98-115, eff. 7-29-13; 99-112, eff. 1-1-16.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.