

1 AN ACT concerning government.

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

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

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

7 Sec. 5. Applications.

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

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

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

1 displayed on the identification card issued to the applicant.

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

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

19 For purposes of this subsection (b):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 For purposes of this subsection (e):

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

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

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