



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB4973

Introduced 2/18/2020, by Rep. Ryan Spain

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Human Resources Employee Safety and Privacy Act. Provides that government agencies and persons, businesses, and associations shall not publicly post or display publicly available content that includes a human resources employee's 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 a human resource employee or a human resources employee'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 human resources employees. Amends various Acts to allow a human resources employee to list a business address rather than a home address and make conforming changes. Effective immediately.

LRB101 16432 JLS 65811 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 Human  
5 Resources Employee Safety and Privacy Act.

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

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

11 "Home address" includes resources employee's permanent  
12 residence and any secondary residences affirmatively  
13 identified by the human resources employee, but does not  
14 include a human resources employee's work address.

15 "Human resources employee" means a person who has the  
16 authority to make decisions whether to hire or fire personnel  
17 and who is employed by a nonpublic employer.

18 "Immediate family" includes a human resources employee's  
19 spouse, child, parent, or any blood relative of the human  
20 resources employee or the human resources employee's spouse who  
21 lives in the same residence.

22 "Written request" means written notice signed by a human  
23 resources employee or a representative of the human resources

1 employee's employer requesting a government agency, person,  
2 business, or association to refrain from posting or displaying  
3 publicly available content that includes the human resources  
4 employee's personal information.

5 Section 10. Publicly posting or displaying a human  
6 resources employee's personal information by government  
7 agencies.

8 (a) Government agencies shall not publicly post or display  
9 publicly available content that includes a human resources  
10 employee's personal information, provided that the government  
11 agency has received a written request in accordance with  
12 Section 20 that it refrain from disclosing the human resources  
13 employee's personal information. After a government agency has  
14 received a written request, that agency shall remove the human  
15 resources employee's personal information from publicly  
16 available content within 5 business days. After the government  
17 agency has removed the human resources employee's personal  
18 information from publicly available content, the agency shall  
19 not publicly post or display the information and the human  
20 resources employee's personal information shall be exempt from  
21 the Freedom of Information Act unless the government agency has  
22 received consent from the human resources employee to make the  
23 personal information available to the public.

24 (b) If a government agency fails to comply with a written  
25 request to refrain from disclosing personal information, the

1 human resources employee may bring an action in the circuit  
2 court seeking injunctive or declaratory relief.

3 Section 15. Publicly posting a human resources employee's  
4 personal information on the Internet by persons, businesses,  
5 and associations.

6 (a) Prohibited Conduct.

7 (1) All persons, businesses, and associations shall  
8 refrain from publicly posting or displaying on the Internet  
9 publicly available content that includes a human resources  
10 employee's personal information, provided that the human  
11 resources employee has made a written request to the  
12 person, business, or association that it refrain from  
13 disclosing the personal information.

14 (2) No person, business, or association shall solicit,  
15 sell, or trade on the Internet a human resources employee's  
16 personal information with the intent to pose an imminent  
17 and serious threat to the health and safety of the human  
18 resources employee or the human resources employee's  
19 immediate family.

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

23 (b) Required Conduct.

24 (1) After a person, business, or association has  
25 received a written request from a human resources employee

1 to protect the privacy of the officer's personal  
2 information, that person, business, or association shall  
3 have 72 hours to remove the personal information from the  
4 Internet.

5 (2) After a person, business, or association has  
6 received a written request from a human resources employee,  
7 that person, business, or association shall ensure that the  
8 human resources employee's personal information is not  
9 made available on any website or subsidiary website  
10 controlled by that person, business, or association.

11 (3) After receiving a human resources employee's  
12 written request, no person, business, or association shall  
13 transfer the human resources employee's personal  
14 information to any other person, business, or association  
15 through any medium.

16 (c) Redress. A human resources employee whose personal  
17 information is made public as a result of a violation of this  
18 Section may bring an action in the circuit court seeking  
19 injunctive or declaratory relief. If the court grants  
20 injunctive or declaratory relief, the person, business, or  
21 association responsible for the violation shall be required to  
22 pay the human resources employee's costs and reasonable  
23 attorney's fees.

24 Section 20. Procedure for completing a written request.

25 (a) No government agency, person, business, or association

1 shall be found to have violated any provision of this Act if  
2 the human resources employee fails to submit a written request  
3 calling for the protection of the officer's personal  
4 information.

5 (b) A written request is valid if:

6 (1) the human resources employee sends a written  
7 request directly to a government agency, person, business,  
8 or association; or

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

24 (c) A representative from the human resources employee's  
25 employer may submit a written request on the human resources  
26 employee's behalf, provided that the human resources employee

1 gives written consent to the representative and provided that  
2 the representative agrees to furnish a copy of that consent  
3 when a written request is made. The representative shall submit  
4 the written request as provided in subsection (b).

5 (d) A human resources employee's written request shall  
6 specify what personal information shall be maintained private.

7 If a human resources employee wishes to identify a  
8 secondary residence as a home address, the designation shall be  
9 made in the written request.

10 A human resources employee shall disclose the identity of  
11 the officer's immediate family and indicate that the personal  
12 information of these family members shall also be excluded to  
13 the extent that it could reasonably be expected to reveal the  
14 personal information of the human resources employee.

15 (e) A human resources employee's written request is valid  
16 until the human resources employee provides the government  
17 agency, person, business, or association with written  
18 permission to release the private information. A human  
19 resources employee's written request expires on death.

20 Section 25. Unlawful publication of personal information.

21 (a) It is unlawful for any person to knowingly publicly  
22 post on the Internet the personal information of a human  
23 resources employee or of the human resources employee's  
24 immediate family if the person knows or reasonably should know  
25 that publicly posting the personal information poses an

1 imminent and serious threat to the health and safety of the  
2 human resources employee or the human resources employee's  
3 immediate family and the violation is a proximate cause of  
4 bodily injury or death of the human resources employee or a  
5 member of the human resources employee's immediate family. A  
6 person who violates this Section is guilty of a Class 3 felony.

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

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

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, insurance companies, or pharmacy benefit  
22 managers, unless disclosure is otherwise required by State  
23 law.

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

1 used to create electronic or digital signatures under the  
2 Electronic Commerce Security Act.

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

17 (w) (Blank).

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

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

1 is determined to be confidential and proprietary by the  
2 Illinois Power Agency or by the Illinois Commerce  
3 Commission.

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

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

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

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

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

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

1 districts, forest preserve districts, conservation  
2 districts, recreation agencies, and special recreation  
3 associations.

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

10 (gg) Confidential information described in Section  
11 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

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

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

1 (jj) Confidential information described in Section  
2 5-535 of the Civil Administrative Code of Illinois.

3 (kk) The public body's credit card numbers, debit card  
4 numbers, bank account numbers, Federal Employer  
5 Identification Number, security code numbers, passwords,  
6 and similar account information, the disclosure of which  
7 could result in identity theft or impression or defrauding  
8 of a governmental entity or a person.

9 (ll) ~~(kk)~~ Records concerning the work of the threat  
10 assessment team of a school district.

11 (1.5) Any information exempt from disclosure under the  
12 Judicial Privacy Act shall be redacted from public records  
13 prior to disclosure under this Act and the Human Resources  
14 Employee Safety and Privacy Act.

15 (2) A public record that is not in the possession of a  
16 public body but is in the possession of a party with whom the  
17 agency has contracted to perform a governmental function on  
18 behalf of the public body, and that directly relates to the  
19 governmental function and is not otherwise exempt under this  
20 Act, shall be considered a public record of the public body,  
21 for purposes of this Act.

22 (3) This Section does not authorize withholding of  
23 information or limit the availability of records to the public,  
24 except as stated in this Section or otherwise provided in this  
25 Act.

26 (Source: P.A. 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;

1 100-732, eff. 8-3-18; 101-434, eff. 1-1-20; 101-452, eff.  
2 1-1-20; 101-455, eff. 8-23-19; revised 9-27-19.)

3 Section 105. The Election Code is amended by adding Section  
4 10-10.3 as follows:

5 (10 ILCS 5/10-10.3 new)

6 Sec. 10-10.3. Removal of a human resources employee's  
7 address information from the certificate of nomination or  
8 nomination papers.

9 (a) As used in this Section, "home address" and "human  
10 resources employee" have the meanings given to those terms in  
11 Section 5 of the Human Resources Employee Safety and Privacy  
12 Act.

13 (b) Upon expiration of the period for filing an objection  
14 to a human resources employee's certificate of nomination or  
15 nomination papers, a human resources employee who is a  
16 candidate may file a written request with the State Board of  
17 Elections for redaction of the human resources employee's home  
18 address information from his or her certificate of nomination  
19 or nomination papers. After receipt of the human resources  
20 employee's written request, the State Board of Elections shall  
21 redact or cause redaction of the human resources employee's  
22 home address from his or her certificate of nomination or  
23 nomination papers within 5 business days.

24 (c) Prior to expiration of the period for filing an

1 objection to a human resources employee's certificate of  
2 nomination or nomination papers, the home address information  
3 from the certificate of nomination or nomination papers of a  
4 human resources employee who is a candidate is available for  
5 public inspection. After redaction of a human resources  
6 employee's home address information under subsection (b), the  
7 home address information is only available for an in camera  
8 inspection by the court reviewing an objection to the human  
9 resources employee's certificate of nomination or nomination  
10 papers.

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

13 (15 ILCS 335/4) (from Ch. 124, par. 24)

14 Sec. 4. Identification card.

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



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

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

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

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

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

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

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

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

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

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

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

1 prescribed verification form, which may be executed by  
2 personnel of the Department of Human Services.

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

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; 100-717, eff. 7-1-19.)

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

16 Sec. 5. Applications.

17 (a) Any natural person who is a resident of the State of  
18 Illinois may file an application for an identification card, or  
19 for the renewal thereof, in a manner prescribed by the  
20 Secretary. Each original application shall be completed by the  
21 applicant in full and shall set forth the legal name, residence  
22 address and zip code, social security number, birth date, sex  
23 and a brief description of the applicant. The applicant shall  
24 be photographed, unless the Secretary of State has provided by  
25 rule for the issuance of identification cards without

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

1 (a-5) Upon the first issuance of a request for proposals  
2 for a digital driver's license and identification card issuance  
3 and facial recognition system issued after January 1, 2020 (the  
4 effective date of Public Act 101-513) ~~this amendatory Act of~~  
5 ~~the 101st General Assembly~~, and upon implementation of a new or  
6 revised system procured pursuant to that request for proposals,  
7 the Secretary shall permit applicants to choose between "male",  
8 "female", or "non-binary" when designating the applicant's sex  
9 on the identification card application form. The sex designated  
10 by the applicant shall be displayed on the identification card  
11 issued to the applicant.

12 (b) Beginning on or before July 1, 2015, for each original  
13 or renewal identification card application under this Act, the  
14 Secretary shall inquire as to whether the applicant is a  
15 veteran for purposes of issuing an identification card with a  
16 veteran designation under subsection (c-5) of Section 4 of this  
17 Act. The acceptable forms of proof shall include, but are not  
18 limited to, Department of Defense form DD-214, Department of  
19 Defense form DD-256 for applicants who did not receive a form  
20 DD-214 upon the completion of initial basic training,  
21 Department of Defense form DD-2 (Retired), an identification  
22 card issued under the federal Veterans Identification Card Act  
23 of 2015, or a United States Department of Veterans Affairs  
24 summary of benefits letter. If the document cannot be stamped,  
25 the Illinois Department of Veterans' Affairs shall provide a  
26 certificate to the veteran to provide to the Secretary of

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

4 For each applicant who is issued an identification card  
5 with a veteran designation, the Secretary shall provide the  
6 Department of Veterans' Affairs with the applicant's name,  
7 address, date of birth, gender, and such other demographic  
8 information as agreed to by the Secretary and the Department.  
9 The Department may take steps necessary to confirm the  
10 applicant is a veteran. If after due diligence, including  
11 writing to the applicant at the address provided by the  
12 Secretary, the Department is unable to verify the applicant's  
13 veteran status, the Department shall inform the Secretary, who  
14 shall notify the applicant that he or she must confirm status  
15 as a veteran, or the identification card will be cancelled.

16 For purposes of this subsection (b):

17 "Armed forces" means any of the Armed Forces of the United  
18 States, including a member of any reserve component or National  
19 Guard unit.

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

22 (c) All applicants for REAL ID compliant standard Illinois  
23 Identification Cards and Illinois Person with a Disability  
24 Identification Cards shall provide proof of lawful status in  
25 the United States as defined in 6 CFR 37.3, as amended.  
26 Applicants who are unable to provide the Secretary with proof

1 of lawful status are ineligible for REAL ID compliant  
2 identification cards under this Act.

3 (Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17;  
4 100-811, eff. 1-1-19; 101-106, eff. 1-1-20; 101-287, eff.  
5 8-9-19; 101-513, eff. 1-1-20; revised 9-25-19.)

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

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

9 Sec. 3-405. Application for registration.

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

16 1. The name, domicile address, as defined in Section  
17 1-115.5 of this Code, (except as otherwise provided in this  
18 paragraph 1), mail address of the owner or business address  
19 of the owner if a firm, association, or corporation, and,  
20 if available, email address of the owner. If the mailing  
21 address is a post office box number, the address listed on  
22 the driver license record may be used to verify residence.  
23 A police officer, a deputy sheriff, an elected sheriff, a  
24 law enforcement officer for the Department of State Police,

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

1 Act; (E) "state's attorney", "assistant state's attorney",  
2 and "state's attorney special investigator" mean a state's  
3 attorney, assistant state's attorney, and state's attorney  
4 special investigator commissioned or appointed under  
5 Division 3-9 of the Counties Code; ~~and~~ (F) "judicial  
6 officer" has the meaning ascribed to it in Section 1-10 of  
7 the Judicial Privacy Act; and (G) "human resources  
8 employee" has the meaning ascribed to it in Section 5 of  
9 the Human Resources Employee Safety and Privacy Act.

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

14 3. (Blank).

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

19 5. An affirmation by the applicant that all information  
20 set forth is true and correct. If the application is for  
21 the registration of a motor vehicle, the applicant also  
22 shall affirm that the motor vehicle is insured as required  
23 by this Code, that such insurance will be maintained  
24 throughout the period for which the motor vehicle shall be  
25 registered, and that neither the owner, nor any person  
26 operating the motor vehicle with the owner's permission,



1 shall operate the motor vehicle unless the required  
2 insurance is in effect. If the person signing the  
3 affirmation is not the sole owner of the vehicle, such  
4 person shall be deemed to have affirmed on behalf of all  
5 the owners of the vehicle. If the person signing the  
6 affirmation is not an owner of the vehicle, such person  
7 shall be deemed to have affirmed on behalf of the owner or  
8 owners of the vehicle. The lack of signature on the  
9 application shall not in any manner exempt the owner or  
10 owners from any provisions, requirements or penalties of  
11 this Code.

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

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

17 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

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

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

1 drivers license and to prevent substitution of another photo  
2 thereon. For the purposes of this subsection (b) ~~is~~

3 "Human resources employee" has the meaning ascribed to it  
4 in Section 5 of the Human Resources Employee Safety and Privacy  
5 Act.

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

11 (b-3) Upon the first issuance of a request for proposals  
12 for a digital driver's license and identification card issuance  
13 and facial recognition system issued after January 1, 2020 (the  
14 effective date of Public Act 101-513) ~~this amendatory Act of~~  
15 ~~the 101st General Assembly~~, and upon implementation of a new or  
16 revised system procured pursuant to that request for proposals,  
17 the Secretary shall permit applicants to choose between "male",  
18 "female" or "non-binary" when designating the applicant's sex  
19 on the driver's license application form. The sex designated by  
20 the applicant shall be displayed on the driver's license issued  
21 to the applicant.

22 (b-5) Every applicant for a REAL ID compliant driver's  
23 license or permit shall provide proof of lawful status in the  
24 United States as defined in 6 CFR 37.3, as amended. Applicants  
25 who are unable to provide the Secretary with proof of lawful  
26 status may apply for a driver's license or permit under Section

1 6-105.1 of this Code.

2 (c) The application form shall include a notice to the  
3 applicant of the registration obligations of sex offenders  
4 under the Sex Offender Registration Act. The notice shall be  
5 provided in a form and manner prescribed by the Secretary of  
6 State. For purposes of this subsection (c), "sex offender" has  
7 the meaning ascribed to it in Section 2 of the Sex Offender  
8 Registration Act.

9 (d) Any male United States citizen or immigrant who applies  
10 for any permit or license authorized to be issued under this  
11 Code or for a renewal of any permit or license, and who is at  
12 least 18 years of age but less than 26 years of age, must be  
13 registered in compliance with the requirements of the federal  
14 Military Selective Service Act. The Secretary of State must  
15 forward in an electronic format the necessary personal  
16 information regarding the applicants identified in this  
17 subsection (d) to the Selective Service System. The applicant's  
18 signature on the application serves as an indication that the  
19 applicant either has already registered with the Selective  
20 Service System or that he is authorizing the Secretary to  
21 forward to the Selective Service System the necessary  
22 information for registration. The Secretary must notify the  
23 applicant at the time of application that his signature  
24 constitutes consent to registration with the Selective Service  
25 System, if he is not already registered.

26 (e) Beginning on or before July 1, 2015, for each original

1 or renewal driver's license application under this Code, the  
2 Secretary shall inquire as to whether the applicant is a  
3 veteran for purposes of issuing a driver's license with a  
4 veteran designation under subsection (e-5) of Section 6-110 of  
5 this Code. The acceptable forms of proof shall include, but are  
6 not limited to, Department of Defense form DD-214, Department  
7 of Defense form DD-256 for applicants who did not receive a  
8 form DD-214 upon the completion of initial basic training,  
9 Department of Defense form DD-2 (Retired), an identification  
10 card issued under the federal Veterans Identification Card Act  
11 of 2015, or a United States Department of Veterans Affairs  
12 summary of benefits letter. If the document cannot be stamped,  
13 the Illinois Department of Veterans' Affairs shall provide a  
14 certificate to the veteran to provide to the Secretary of  
15 State. The Illinois Department of Veterans' Affairs shall  
16 advise the Secretary as to what other forms of proof of a  
17 person's status as a veteran are acceptable.

18 For each applicant who is issued a driver's license with a  
19 veteran designation, the Secretary shall provide the  
20 Department of Veterans' Affairs with the applicant's name,  
21 address, date of birth, gender and such other demographic  
22 information as agreed to by the Secretary and the Department.  
23 The Department may take steps necessary to confirm the  
24 applicant is a veteran. If after due diligence, including  
25 writing to the applicant at the address provided by the  
26 Secretary, the Department is unable to verify the applicant's

1 veteran status, the Department shall inform the Secretary, who  
2 shall notify the applicant that the he or she must confirm  
3 status as a veteran, or the driver's license will be cancelled.

4 For purposes of this subsection (e):

5 "Armed forces" means any of the Armed Forces of the United  
6 States, including a member of any reserve component or National  
7 Guard unit.

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

10 (Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17;  
11 100-811, eff. 1-1-19; 101-106, eff. 1-1-20; 101-287, eff.  
12 8-9-19; 101-513, eff. 1-1-20; revised 9-23-19.)

13 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

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

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

20 Licenses issued shall also indicate the classification and  
21 the restrictions under Section 6-104 of this Code. The  
22 Secretary may adopt rules to establish informational  
23 restrictions that can be placed on the driver's license  
24 regarding specific conditions of the licensee.

25 A driver's license issued may, in the discretion of the

1 Secretary, include a suitable photograph of a type prescribed  
2 by the Secretary.

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

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

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

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

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

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

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

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

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

22 (5) involved in an emergency;

23 (6) going to or returning home from, without any detour  
24 or stop, an official school, religious, or other  
25 recreational activity supervised by adults and sponsored  
26 by a government or governmental agency, a civic

1 organization, or another similar entity that takes  
2 responsibility for the licensee, without any detour or  
3 stop;

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

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

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

14 (1) the program is sponsored by the Boy Scouts of  
15 America or another national public service organization;  
16 and

17 (2) the sponsoring organization carries liability  
18 insurance covering the program.

19 (a-3) If a graduated driver's license holder over the age  
20 of 18 committed an offense against traffic regulations  
21 governing the movement of vehicles or any violation of Section  
22 6-107 or Section 12-603.1 of this Code in the 6 months prior to  
23 the graduated driver's license holder's 18th birthday, and was  
24 subsequently convicted of the offense, the provisions of  
25 subsection (a-1) shall continue to apply until such time as a  
26 period of 6 consecutive months has elapsed without an



1 additional violation and subsequent conviction of an offense  
2 against traffic regulations governing the movement of vehicles  
3 or Section 6-107 or Section 12-603.1 of this Code.

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

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

18 "Human resources employee" has the meaning ascribed to it  
19 in Section 5 of the Human Resources Employee Safety and Privacy  
20 Act.

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

26 (b) Until the Secretary of State establishes a First Person

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

22 (c) The Secretary of State shall designate on each driver's  
23 license issued a space where the licensee may place a sticker  
24 or decal of the uniform size as the Secretary may specify,  
25 which sticker or decal may indicate in appropriate language  
26 that the owner of the license carries an Emergency Medical

1 Information Card.

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

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

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

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

21 (e-3) The General Assembly recognizes the need to identify  
22 military veterans living in this State for the purpose of  
23 ensuring that they receive all of the services and benefits to  
24 which they are legally entitled, including healthcare,  
25 education assistance, and job placement. To assist the State in  
26 identifying these veterans and delivering these vital services

1 and benefits, the Secretary of State is authorized to issue  
2 drivers' licenses with the word "veteran" appearing on the face  
3 of the licenses. This authorization is predicated on the unique  
4 status of veterans. The Secretary may not issue any other  
5 driver's license which identifies an occupation, status,  
6 affiliation, hobby, or other unique characteristics of the  
7 license holder which is unrelated to the purpose of the  
8 driver's license.

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

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

1 subject to any assignment by the Secretary. Failure to comply  
2 with the Secretary's assignment may result in the applicant's  
3 forfeiture of an opportunity to receive a commercial driver's  
4 license prior to April 1, 1992.

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

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

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

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

24 Section 999. Effective date. This Act takes effect upon  
25 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