



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5348

by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4	from Ch. 124, par. 24
15 ILCS 335/12	from Ch. 124, par. 32

Amends the Illinois Identification Card Act. Provides for the issuance of standard Illinois Identification Cards and limited-term Illinois Identification Cards free of charge to persons upon release from a county jail. Makes conforming changes.

LRB101 18731 RJF 68186 b

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 Sections 4 and 12 as follows:

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

7 Sec. 4. Identification card.

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

1 "photograph" means any color photograph or digitally produced
2 and captured image of an applicant for an identification card.
3 As used in this Act, "signature" means the name of a person as
4 written by that person and captured in a manner acceptable to
5 the Secretary of State.

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

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

24 (a-15) The Secretary of State may provide for an expedited
25 process for the issuance of an Illinois Identification Card.
26 The Secretary shall charge an additional fee for the expedited

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

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

1 form, which may be executed by Department of Corrections or
2 Department of Juvenile Justice personnel, or by county sheriff
3 personnel.

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

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

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

25 (a-35) The Secretary of State shall issue a limited-term
26 Illinois Identification Card valid for 90 days to a person upon

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

22 (b) The Secretary of State shall issue a special Illinois
23 Identification Card, which shall be known as an Illinois Person
24 with a Disability Identification Card, to any natural person
25 who is a resident of the State of Illinois, who is a person
26 with a disability as defined in Section 4A of this Act, who

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

1 any lawful situation by the person to whom it was issued.

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

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

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

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

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

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

1 Illinois Identification Cards and Illinois Person with a
2 Disability Identification Cards with the word "veteran"
3 appearing on the face of the cards. This authorization is
4 predicated on the unique status of veterans. The Secretary may
5 not issue any other identification card which identifies an
6 occupation, status, affiliation, hobby, or other unique
7 characteristics of the identification card holder which is
8 unrelated to the purpose of the identification card.

9 (c-5) Beginning on or before July 1, 2015, the Secretary of
10 State shall designate a space on each original or renewal
11 identification card 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 (b) of Section 5 of this Act who was discharged or
15 separated under honorable conditions.

16 (d) The Secretary of State may issue a Senior Citizen
17 discount card, to any natural person who is a resident of the
18 State of Illinois who is 60 years of age or older and who
19 applies for such a card or renewal thereof. The Secretary of
20 State shall charge no fee to issue such card. The card shall be
21 issued in every county and applications shall be made available
22 at, but not limited to, nutrition sites, senior citizen centers
23 and Area Agencies on Aging. The applicant, upon receipt of such
24 card and prior to its use for any purpose, shall have affixed
25 thereon in the space provided therefor his signature or mark.

26 (e) The Secretary of State, in his or her discretion, may

1 designate on each Illinois Identification Card or Illinois
 2 Person with a Disability Identification Card a space where the
 3 card holder may place a sticker or decal, issued by the
 4 Secretary of State, of uniform size as the Secretary may
 5 specify, that shall indicate in appropriate language that the
 6 card holder has renewed his or her Illinois Identification Card
 7 or Illinois Person with a Disability Identification Card.

8 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
 9 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff. 7-1-17;
 10 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

11 (15 ILCS 335/12) (from Ch. 124, par. 32)

12 Sec. 12. Fees concerning standard Illinois Identification
 13 Cards. The fees required under this Act for standard Illinois
 14 Identification Cards must accompany any application provided
 15 for in this Act, and the Secretary shall collect such fees as
 16 follows:

- 17 a. Original card \$20
- 18 b. Renewal card 20
- 19 c. Corrected card 10
- 20 d. Duplicate card 20
- 21 e. Certified copy with seal 5
- 22 f. (Blank)
- 23 g. Applicant 65 years of age or over No Fee
- 24 h. (Blank)
- 25 i. Individual living in Veterans

1	Home or Hospital	No Fee
2	j. Original card under 18 years of age.....	\$5
3	k. Renewal card under 18 years of age	\$5
4	l. Corrected card under 18 years of age	\$5
5	m. Duplicate card under 18 years of age	\$5
6	n. Homeless person	No Fee
7	o. Duplicate card issued to an active-duty	
8	member of the United States Armed Forces, the	
9	member's spouse, or dependent children	
10	living with the member	No Fee
11	p. Duplicate temporary card	\$5
12	q. First card issued to a youth	
13	for whom the Department of Children	
14	and Family Services is legally responsible	
15	or a foster child upon turning the age of	
16	16 years old until he or she reaches	
17	the age of 21 years old	No Fee
18	r. Original card issued to a committed	
19	person upon release on parole,	
20	mandatory supervised release,	
21	aftercare release, final	
22	discharge, or pardon from the	
23	Department of Corrections or	
24	Department of Juvenile Justice,	
25	<u>or upon release from a</u>	
26	<u>county jail</u>	No Fee

1 s. Limited-term Illinois Identification
 2 Card issued to a committed person
 3 upon release on parole, mandatory
 4 supervised release, aftercare
 5 release, final discharge, or pardon
 6 from the Department of
 7 Corrections or Department of
 8 Juvenile Justice, or upon release
 9 from a county jail No Fee

10 t. Original card issued to a
 11 person up to 14 days prior
 12 to or upon conditional release
 13 or absolute discharge from
 14 the Department of Human Services No Fee

15 u. Limited-term Illinois Identification
 16 Card issued to a person up to
 17 14 days prior to or upon
 18 conditional release or absolute discharge
 19 from the Department of Human Services No Fee

20 All fees collected under this Act shall be paid into the
 21 Road Fund of the State treasury, except that the following
 22 amounts shall be paid into the General Revenue Fund: (i) 80% of
 23 the fee for an original, renewal, or duplicate Illinois
 24 Identification Card issued on or after January 1, 2005; and
 25 (ii) 80% of the fee for a corrected Illinois Identification
 26 Card issued on or after January 1, 2005.

1 An individual, who resides in a veterans home or veterans
2 hospital operated by the State or federal government, who makes
3 an application for an Illinois Identification Card to be issued
4 at no fee, must submit, along with the application, an
5 affirmation by the applicant on a form provided by the
6 Secretary of State, that such person resides in a veterans home
7 or veterans hospital operated by the State or federal
8 government.

9 The application of a homeless individual for an Illinois
10 Identification Card to be issued at no fee must be accompanied
11 by an affirmation by a qualified person, as defined in Section
12 4C of this Act, on a form provided by the Secretary of State,
13 that the applicant is currently homeless as defined in Section
14 1A of this Act.

15 For the application for the first Illinois Identification
16 Card of a youth for whom the Department of Children and Family
17 Services is legally responsible or a foster child to be issued
18 at no fee, the youth must submit, along with the application,
19 an affirmation by his or her court appointed attorney or an
20 employee of the Department of Children and Family Services on a
21 form provided by the Secretary of State, that the person is a
22 youth for whom the Department of Children and Family Services
23 is legally responsible or a foster child.

24 The fee for any duplicate identification card shall be
25 waived for any person who presents the Secretary of State's
26 Office with a police report showing that his or her

1 identification card was stolen.

2 The fee for any duplicate identification card shall be
3 waived for any person age 60 or older whose identification card
4 has been lost or stolen.

5 As used in this Section, "active-duty member of the United
6 States Armed Forces" means a member of the Armed Services or
7 Reserve Forces of the United States or a member of the Illinois
8 National Guard who is called to active duty pursuant to an
9 executive order of the President of the United States, an act
10 of the Congress of the United States, or an order of the
11 Governor.

12 (Source: P.A. 100-201, eff. 8-18-17; 100-717, eff. 7-1-19;
13 100-827, eff. 8-13-18; 101-81, eff. 7-12-19; 101-232, eff.
14 1-1-20.)