



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1344

Introduced 2/7/2019, by Sen. Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Provides that "personally identifying information" includes, among other things, an individual's date of birth, height, weight, hair color, eye color, email address, and registration plate number. Restricts the release of personally identifying information within the Secretary of State's office to employees who have a need to know the information for issuance of driver's licenses, permits, or identification cards and investigation of fraud or misconduct. Provides that the Secretary may release highly restricted personal information only to: (1) officers and employees of the Secretary who have a need to access the information for the issuance of driver's licenses, permits, or identification cards and investigation of fraud or misconduct, (2) law enforcement officials for a criminal or civil law enforcement investigation, (3) the State Board of Elections for the purpose of providing the signature for completion of voter registration, and (4) any other entity the Secretary has authorized by rule. Provides that photos, signatures, and documents proving an applicant's identity for the obtainment of an identification card or driver's license are confidential and shall not be disclosed except to: (i) the individual to whom the card was issued, upon written request, (ii) officers and employees of the Secretary of State who have a need to have access to the stored images for purposes of issuing and controlling driver's licenses, permits, or identification cards and investigation of fraud or misconduct, (iii) law enforcement officials for a civil or criminal law enforcement investigation, and (iv) other entities that the Secretary may exempt by rule. Provides that the Secretary retains the right to require additional verification regarding the validity of a request from law enforcement to access social security information and that, if social security information is disclosed by the Secretary for official purposes, no liability shall rest with the Office of the Secretary of State or any of its officers or employees. Effective immediately.

LRB101 07747 TAE 52796 b

A BILL FOR

1 AN ACT concerning the Secretary of State.

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 1A and 11 as follows:

6 (15 ILCS 335/1A)

7 Sec. 1A. Definitions. As used in this Act:

8 "Highly restricted personal information" means an
9 individual's photograph, signature, social security number,
10 and medical or disability information.

11 "Identification card making implement" means any material,
12 hardware, or software that is specifically designed for or
13 primarily used in the manufacture, assembly, issuance, or
14 authentication of an official identification card issued by the
15 Secretary of State.

16 "Fraudulent identification card" means any identification
17 card that purports to be an official identification card for
18 which a computerized number and file have not been created by
19 the Secretary of State, the United States Government or any
20 state or political subdivision thereof, or any governmental or
21 quasi-governmental organization. For the purpose of this Act,
22 any identification card that resembles an official
23 identification card in either size, color, photograph

1 location, or design or uses the word "official", "state",
2 "Illinois", or the name of any other state or political
3 subdivision thereof, or any governmental or quasi-governmental
4 organization individually or in any combination thereof to
5 describe or modify the term "identification card" or "I.D.
6 card" anywhere on the card, or uses a shape in the likeness of
7 Illinois or any other state on the photograph side of the card,
8 is deemed to be a fraudulent identification card unless the
9 words "This is not an official Identification Card", appear
10 prominently upon it in black colored lettering in 12-point type
11 on the photograph side of the card, and no such card shall be
12 smaller in size than 3 inches by 4 inches, and the photograph
13 shall be on the left side of the card only.

14 "Legal name" means the full given name and surname of an
15 individual as recorded at birth, recorded at marriage, or
16 deemed as the correct legal name for use in reporting income by
17 the Social Security Administration or the name as otherwise
18 established through legal action that appears on the associated
19 official document presented to the Secretary of State.

20 "Personally identifying information" means information
21 that identifies an individual, including his or her
22 identification card number, name, address (but not the 5-digit
23 zip code), date of birth, height, weight, hair color, eye
24 color, email address, and telephone number.

25 "Homeless person" or "homeless individual" has the same
26 meaning as defined by the federal McKinney-Vento Homeless

1 Assistance Act, 42 U.S.C. 11302, or 42 U.S.C. 11434a(2).

2 "Youth for whom the Department of Children and Family
3 Services is legally responsible" or "foster child" means a
4 child or youth whose guardianship or custody has been accepted
5 by the Department of Children and Family Services pursuant to
6 the Juvenile Court Act of 1987, the Children and Family
7 Services Act, the Abused and Neglected Child Reporting Act, and
8 the Adoption Act. This applies to children for whom the
9 Department of Children and Family Services has temporary
10 protective custody, custody or guardianship via court order, or
11 children whose parents have signed an adoptive surrender or
12 voluntary placement agreement with the Department.

13 "REAL ID compliant identification card" means a standard
14 Illinois Identification Card or Illinois Person with a
15 Disability Identification Card issued in compliance with the
16 REAL ID Act and implementing regulations. REAL ID compliant
17 identification cards shall bear a security marking approved by
18 the United States Department of Homeland Security.

19 "Non-compliant identification card" means a standard
20 Illinois Identification Card or Illinois Person with a
21 Disability Identification Card issued in a manner which is not
22 compliant with the REAL ID Act and implementing regulations.
23 Non-compliant identification cards shall be marked "Not for
24 Federal Identification" and shall have a color or design
25 different from the REAL ID compliant identification card.

26 "Limited Term REAL ID compliant identification card" means

1 a REAL ID compliant identification card issued to persons who
2 are not permanent residents or citizens of the United States,
3 and marked "Limited Term" on the face of the card.

4 (Source: P.A. 99-659, eff. 7-28-17; 100-201, eff. 8-18-17;
5 100-248, eff. 8-22-17.)

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

7 Sec. 11. Records.

8 (a) The Secretary may make a search of his records and
9 furnish information as to whether a person has a current
10 Standard Illinois Identification Card or an Illinois Person
11 with a Disability Identification Card then on file, upon
12 receipt of a written application therefor accompanied with the
13 prescribed fee. However, the Secretary may not disclose medical
14 information concerning an individual to any person, public
15 agency, private agency, corporation or governmental body
16 unless the individual has submitted a written request for the
17 information or unless the individual has given prior written
18 consent for the release of the information to a specific person
19 or entity. This exception shall not apply to: (1) offices and
20 employees of the Secretary who have a need to know the medical
21 information in performance of their official duties, or (2)
22 orders of a court of competent jurisdiction. When medical
23 information is disclosed by the Secretary in accordance with
24 the provisions of this Section, no liability shall rest with
25 the Office of the Secretary of State as the information is

1 released for informational purposes only.

2 (b) The Secretary may release personally identifying
3 information ~~or highly restricted personal information~~ only to:

4 (1) officers and employees of the Secretary who have a
5 need to know that information for issuance of driver's
6 licenses, permits, or identification cards and
7 investigation of fraud or misconduct;

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

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

12 (3-5) the State Board of Elections ~~for the purpose of~~
13 ~~providing the signatures required by a local election~~
14 ~~authority to register a voter through an online voter~~
15 ~~registration system or~~ as may be required by an agreement
16 the State Board of Elections has entered into with a
17 multi-state voter registration list maintenance system; or

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

20 (c) The Secretary may release highly restricted personal
21 information only to:

22 (1) officers and employees of the Secretary who have a
23 need to access the information for the issuance of driver's
24 licenses, permits, or identification cards and
25 investigation of fraud or misconduct;

26 (2) law enforcement officials for a criminal or civil

1 law enforcement investigation;

2 (3) the State Board of Elections for the purpose of
3 providing the signature for completion of voter
4 registration; or

5 (4) any other entity the Secretary has authorized by
6 rule.

7 (d) Documents required to be submitted with an application
8 for an identification card to prove the applicant's identity
9 (name and date of birth), social security number, written
10 signature, residency, and, as applicable, proof of lawful
11 status shall be confidential and shall not be disclosed except
12 to the following persons:

13 (1) the individual to whom the identification card was
14 issued, upon written request;

15 (2) officers and employees of the Secretary of State
16 who have a need to have access to the stored images for
17 purposes of issuing and controlling driver's licenses,
18 permits, or identification cards and investigation of
19 fraud or misconduct;

20 (3) law enforcement officials for a civil or criminal
21 law enforcement investigation;

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

24 (e) The Secretary may not disclose an individual's social
25 security number or any associated information obtained from the
26 Social Security Administration without the written request or

1 consent of the individual except: (i) to officers and employees
2 of the Secretary who have a need to know the social security
3 number in the performance of their official duties; (ii) to law
4 enforcement officials for a ~~lawful~~ civil or criminal law
5 enforcement investigation if an officer ~~the head~~ of the law
6 enforcement agency has made a written request to the Secretary
7 specifying the law enforcement investigation for which the
8 social security number is being sought; (iii) under a lawful
9 court order signed by a judge; ~~or~~ (iv) to the Illinois
10 Department of Veterans' Affairs for the purpose of confirming
11 veteran status to agencies in other states responsible for the
12 issuance of state identification cards for participation in
13 State-to-State verification service; or (v) the last 4 digits
14 to the Illinois State Board of Elections for purposes of voter
15 registration and as may be required pursuant to an agreement
16 for a multi-state voter registration list maintenance system.
17 The Secretary retains the right to require additional
18 verification regarding the validity of a request from law
19 enforcement. If social security information is disclosed by the
20 Secretary in accordance with this Section, no liability shall
21 rest with the Office of the Secretary of State or any of its
22 officers or employees, as the information is released for
23 official purposes only.

24 (Source: P.A. 97-739, eff. 1-1-13; 97-1064, eff. 1-1-13;
25 98-115, eff. 7-29-13; 98-463, eff. 8-16-13; 98-1171, eff.
26 6-1-15.)

1 Section 10. The Illinois Vehicle Code is amended by
2 changing Sections 1-159.2, 2-123, and 6-110.1 and by adding
3 Section 6-110.2 as follows:

4 (625 ILCS 5/1-159.2)

5 Sec. 1-159.2. Personally identifying information.
6 Information that identifies an individual, including his or her
7 driver's license ~~driver identification~~ number, name, address
8 (but not the 5 digit zip code), date of birth, height, weight,
9 hair color, eye color, registration plate number, email
10 address, and telephone number, but "personally identifying
11 information" does not include information on vehicular
12 accidents, driving violations, and driver's status.
13 (Source: P.A. 92-32, eff. 7-1-01; 93-895, eff. 1-1-05.)

14 (625 ILCS 5/2-123) (from Ch. 95 1/2, par. 2-123)

15 Sec. 2-123. Sale and distribution of information.

16 (a) Except as otherwise provided in this Section, the
17 Secretary may make the driver's license, vehicle and title
18 registration lists, in part or in whole, and any statistical
19 information derived from these lists available to local
20 governments, elected state officials, state educational
21 institutions, and all other governmental units of the State and
22 Federal Government requesting them for governmental purposes.
23 The Secretary shall require any such applicant for services to

1 pay for the costs of furnishing such services and the use of
2 the equipment involved, and in addition is empowered to
3 establish prices and charges for the services so furnished and
4 for the use of the electronic equipment utilized.

5 (b) The Secretary is further empowered to and he may, in
6 his discretion, furnish to any applicant, other than listed in
7 subsection (a) of this Section, vehicle or driver data on a
8 computer tape, disk, other electronic format or computer
9 processable medium, or printout at a fixed fee of \$250 for
10 orders received before October 1, 2003 and \$500 for orders
11 received on or after October 1, 2003, in advance, and require
12 in addition a further sufficient deposit based upon the
13 Secretary of State's estimate of the total cost of the
14 information requested and a charge of \$25 for orders received
15 before October 1, 2003 and \$50 for orders received on or after
16 October 1, 2003, per 1,000 units or part thereof identified or
17 the actual cost, whichever is greater. The Secretary is
18 authorized to refund any difference between the additional
19 deposit and the actual cost of the request. This service shall
20 not be in lieu of an abstract of a driver's record nor of a
21 title or registration search. This service may be limited to
22 entities purchasing a minimum number of records as required by
23 administrative rule. The information sold pursuant to this
24 subsection shall be the entire vehicle or driver data list, or
25 part thereof. The information sold pursuant to this subsection
26 shall not contain personally identifying information unless

1 the information is to be used for one of the purposes
2 identified in subsection (f-5) of this Section. Commercial
3 purchasers of driver and vehicle record databases shall enter
4 into a written agreement with the Secretary of State that
5 includes disclosure of the commercial use of the information to
6 be purchased.

7 (b-1) The Secretary is further empowered to and may, in his
8 or her discretion, furnish vehicle or driver data on a computer
9 tape, disk, or other electronic format or computer processible
10 medium, at no fee, to any State or local governmental agency
11 that uses the information provided by the Secretary to transmit
12 data back to the Secretary that enables the Secretary to
13 maintain accurate driving records, including dispositions of
14 traffic cases. This information may be provided without fee not
15 more often than once every 6 months.

16 (c) Secretary of State may issue registration lists. The
17 Secretary of State may compile a list of all registered
18 vehicles. Each list of registered vehicles shall be arranged
19 serially according to the registration numbers assigned to
20 registered vehicles and may contain in addition the names and
21 addresses of registered owners and a brief description of each
22 vehicle including the serial or other identifying number
23 thereof. Such compilation may be in such form as in the
24 discretion of the Secretary of State may seem best for the
25 purposes intended.

26 (d) The Secretary of State shall furnish no more than 2

1 current available lists of such registrations to the sheriffs
2 of all counties and to the chiefs of police of all cities and
3 villages and towns of 2,000 population and over in this State
4 at no cost. Additional copies may be purchased by the sheriffs
5 or chiefs of police at the fee of \$500 each or at the cost of
6 producing the list as determined by the Secretary of State.
7 Such lists are to be used for governmental purposes only.

8 (e) (Blank).

9 (e-1) (Blank).

10 (f) The Secretary of State shall make a title or
11 registration search of the records of his office and a written
12 report on the same for any person, upon written application of
13 such person, accompanied by a fee of \$5 for each registration
14 or title search. The written application shall set forth the
15 intended use of the requested information. No fee shall be
16 charged for a title or registration search, or for the
17 certification thereof requested by a government agency. The
18 report of the title or registration search shall not contain
19 personally identifying information unless the request for a
20 search was made for one of the purposes identified in
21 subsection (f-5) of this Section. The report of the title or
22 registration search shall not contain highly restricted
23 personal information unless specifically authorized by this
24 Code.

25 The Secretary of State shall certify a title or
26 registration record upon written request. The fee for

1 certification shall be \$5 in addition to the fee required for a
2 title or registration search. Certification shall be made under
3 the signature of the Secretary of State and shall be
4 authenticated by Seal of the Secretary of State.

5 The Secretary of State may notify the vehicle owner or
6 registrant of the request for purchase of his title or
7 registration information as the Secretary deems appropriate.

8 No information shall be released to the requester ~~requestor~~
9 until expiration of a 10-day ~~10-day~~ period. This 10-day ~~10-day~~
10 period shall not apply to requests for information made by law
11 enforcement officials, government agencies, financial
12 institutions, attorneys, insurers, employers, automobile
13 associated businesses, persons licensed as a private detective
14 or firms licensed as a private detective agency under the
15 Private Detective, Private Alarm, Private Security,
16 Fingerprint Vendor, and Locksmith Act of 2004, who are employed
17 by or are acting on behalf of law enforcement officials,
18 government agencies, financial institutions, attorneys,
19 insurers, employers, automobile associated businesses, and
20 other business entities for purposes consistent with the
21 Illinois Vehicle Code, the vehicle owner or registrant or other
22 entities as the Secretary may exempt by rule and regulation.

23 Any misrepresentation made by a requester ~~requestor~~ of
24 title or vehicle information shall be punishable as a petty
25 offense, except in the case of persons licensed as a private
26 detective or firms licensed as a private detective agency which

1 shall be subject to disciplinary sanctions under Section 40-10
2 of the Private Detective, Private Alarm, Private Security,
3 Fingerprint Vendor, and Locksmith Act of 2004.

4 (f-5) The Secretary of State shall not disclose or
5 otherwise make available to any person or entity any personally
6 identifying information obtained by the Secretary of State in
7 connection with a driver's license, vehicle, or title
8 registration record unless the information is disclosed for one
9 of the following purposes:

10 (1) For use by any government agency, including any
11 court or law enforcement agency, in carrying out its
12 functions, or any private person or entity acting on behalf
13 of a federal, State, or local agency in carrying out its
14 functions.

15 (2) For use in connection with matters of motor vehicle
16 or driver safety and theft; motor vehicle emissions; motor
17 vehicle product alterations, recalls, or advisories;
18 performance monitoring of motor vehicles, motor vehicle
19 parts, and dealers; and removal of non-owner records from
20 the original owner records of motor vehicle manufacturers.

21 (3) For use in the normal course of business by a
22 legitimate business or its agents, employees, or
23 contractors, but only:

24 (A) to verify the accuracy of personal information
25 submitted by an individual to the business or its
26 agents, employees, or contractors; and

1 (B) if such information as so submitted is not
2 correct or is no longer correct, to obtain the correct
3 information, but only for the purposes of preventing
4 fraud by, pursuing legal remedies against, or
5 recovering on a debt or security interest against, the
6 individual.

7 (4) For use in research activities and for use in
8 producing statistical reports, if the personally
9 identifying information is not published, redisclosed, or
10 used to contact individuals.

11 (5) For use in connection with any civil, criminal,
12 administrative, or arbitral proceeding in any federal,
13 State, or local court or agency or before any
14 self-regulatory body, including the service of process,
15 investigation in anticipation of litigation, and the
16 execution or enforcement of judgments and orders, or
17 pursuant to an order of a federal, State, or local court.

18 (6) For use by any insurer or insurance support
19 organization or by a self-insured entity or its agents,
20 employees, or contractors in connection with claims
21 investigation activities, antifraud activities, rating, or
22 underwriting.

23 (7) For use in providing notice to the owners of towed
24 or impounded vehicles.

25 (8) For use by any person licensed as a private
26 detective or firm licensed as a private detective agency

1 under the Private Detective, Private Alarm, Private
2 Security, Fingerprint Vendor, and Locksmith Act of 2004,
3 private investigative agency or security service licensed
4 in Illinois for any purpose permitted under this
5 subsection.

6 (9) For use by an employer or its agent or insurer to
7 obtain or verify information relating to a holder of a
8 commercial driver's license that is required under chapter
9 313 of title 49 of the United States Code.

10 (10) For use in connection with the operation of
11 private toll transportation facilities.

12 (11) For use by any requester, if the requester
13 demonstrates it has obtained the written consent of the
14 individual to whom the information pertains.

15 (12) For use by members of the news media, as defined
16 in Section 1-148.5, for the purpose of newsgathering when
17 the request relates to the operation of a motor vehicle or
18 public safety.

19 (13) For any other use specifically authorized by law,
20 if that use is related to the operation of a motor vehicle
21 or public safety.

22 (f-6) The Secretary of State shall not disclose or
23 otherwise make available to any person or entity any highly
24 restricted personal information obtained by the Secretary of
25 State in connection with a driver's license, vehicle, or title
26 registration record unless specifically authorized by this

1 Code.

2 (g) 1. The Secretary of State may, upon receipt of a
3 written request and a fee as set forth in Section 6-118,
4 furnish to the person or agency so requesting a driver's record
5 or data contained therein. Such document may include a record
6 of: current driver's license issuance information, except that
7 the information on judicial driving permits shall be available
8 only as otherwise provided by this Code; convictions; orders
9 entered revoking, suspending or cancelling a driver's license
10 or privilege; and notations of accident involvement. All other
11 information, unless otherwise permitted by this Code, shall
12 remain confidential. Information released pursuant to a
13 request for a driver's record shall not contain personally
14 identifying information, unless the request for the driver's
15 record was made for one of the purposes set forth in subsection
16 (f-5) of this Section. The Secretary of State may, without fee,
17 allow a parent or guardian of a person under the age of 18
18 years, who holds an instruction permit or graduated driver's
19 license, to view that person's driving record online, through a
20 computer connection. The parent or guardian's online access to
21 the driving record will terminate when the instruction permit
22 or graduated driver's license holder reaches the age of 18.

23 2. The Secretary of State shall not disclose or otherwise
24 make available to any person or entity any highly restricted
25 personal information obtained by the Secretary of State in
26 connection with a driver's license, vehicle, or title

1 registration record unless specifically authorized by this
2 Code. The Secretary of State may certify an abstract of a
3 driver's record upon written request therefor. Such
4 certification shall be made under the signature of the
5 Secretary of State and shall be authenticated by the Seal of
6 his office.

7 3. All requests for driving record information shall be
8 made in a manner prescribed by the Secretary and shall set
9 forth the intended use of the requested information.

10 The Secretary of State may notify the affected driver of
11 the request for purchase of his driver's record as the
12 Secretary deems appropriate.

13 No information shall be released to the requester until
14 expiration of a 10-day ~~10-day~~ period. This 10-day ~~10-day~~ period
15 shall not apply to requests for information made by law
16 enforcement officials, government agencies, financial
17 institutions, attorneys, insurers, employers, automobile
18 associated businesses, persons licensed as a private detective
19 or firms licensed as a private detective agency under the
20 Private Detective, Private Alarm, Private Security,
21 Fingerprint Vendor, and Locksmith Act of 2004, who are employed
22 by or are acting on behalf of law enforcement officials,
23 government agencies, financial institutions, attorneys,
24 insurers, employers, automobile associated businesses, and
25 other business entities for purposes consistent with the
26 Illinois Vehicle Code, the affected driver or other entities as

1 the Secretary may exempt by rule and regulation.

2 Any misrepresentation made by a requester ~~requestor~~ of
3 driver information shall be punishable as a petty offense,
4 except in the case of persons licensed as a private detective
5 or firms licensed as a private detective agency which shall be
6 subject to disciplinary sanctions under Section 40-10 of the
7 Private Detective, Private Alarm, Private Security,
8 Fingerprint Vendor, and Locksmith Act of 2004.

9 4. The Secretary of State may furnish without fee, upon the
10 written request of a law enforcement agency, any information
11 from a driver's record on file with the Secretary of State when
12 such information is required in the enforcement of this Code or
13 any other law relating to the operation of motor vehicles,
14 including records of dispositions; documented information
15 involving the use of a motor vehicle; whether such individual
16 has, or previously had, a driver's license; and the address and
17 personal description as reflected on said driver's record.

18 5. Except as otherwise provided in this Section, the
19 Secretary of State may furnish, without fee, information from
20 an individual driver's record on file, if a written request
21 therefor is submitted by any public transit system or
22 authority, public defender, law enforcement agency, a state or
23 federal agency, or an Illinois local intergovernmental
24 association, if the request is for the purpose of a background
25 check of applicants for employment with the requesting agency,
26 or for the purpose of an official investigation conducted by

1 the agency, or to determine a current address for the driver so
2 public funds can be recovered or paid to the driver, or for any
3 other purpose set forth in subsection (f-5) of this Section.

4 The Secretary may also furnish the courts a copy of an
5 abstract of a driver's record, without fee, subsequent to an
6 arrest for a violation of Section 11-501 or a similar provision
7 of a local ordinance. Such abstract may include records of
8 dispositions; documented information involving the use of a
9 motor vehicle as contained in the current file; whether such
10 individual has, or previously had, a driver's license; and the
11 address and personal description as reflected on said driver's
12 record.

13 6. Any certified abstract issued by the Secretary of State
14 or transmitted electronically by the Secretary of State
15 pursuant to this Section, to a court or on request of a law
16 enforcement agency, for the record of a named person as to the
17 status of the person's driver's license shall be prima facie
18 evidence of the facts therein stated and if the name appearing
19 in such abstract is the same as that of a person named in an
20 information or warrant, such abstract shall be prima facie
21 evidence that the person named in such information or warrant
22 is the same person as the person named in such abstract and
23 shall be admissible for any prosecution under this Code and be
24 admitted as proof of any prior conviction or proof of records,
25 notices, or orders recorded on individual driving records
26 maintained by the Secretary of State.

1 7. Subject to any restrictions contained in the Juvenile
2 Court Act of 1987, and upon receipt of a proper request and a
3 fee as set forth in Section 6-118, the Secretary of State shall
4 provide a driver's record or data contained therein to the
5 affected driver, or the affected driver's attorney, upon
6 verification. Such record shall contain all the information
7 referred to in paragraph 1 of this subsection (g) plus: any
8 recorded accident involvement as a driver; information
9 recorded pursuant to subsection (e) of Section 6-117 and
10 paragraph (4) of subsection (a) of Section 6-204 of this Code.
11 All other information, unless otherwise permitted by this Code,
12 shall remain confidential.

13 (h) The Secretary shall not disclose social security
14 numbers or any associated information obtained from the Social
15 Security Administration except pursuant to a written request
16 by, or with the prior written consent of, the individual
17 except: (1) to officers and employees of the Secretary who have
18 a need to know the social security numbers in performance of
19 their official duties, (2) to law enforcement officials for a
20 ~~lawful~~, civil or criminal law enforcement investigation, and if
21 an officer ~~the head~~ of the law enforcement agency has made a
22 written request to the Secretary specifying the law enforcement
23 investigation for which the social security numbers are being
24 sought, though the Secretary retains the right to require
25 additional verification regarding the validity of the request,
26 (3) to the United States Department of Transportation, or any

1 other State, pursuant to the administration and enforcement of
2 the Commercial Motor Vehicle Safety Act of 1986 or
3 participation in State-to-State verification service, (4)
4 pursuant to the order of a court of competent jurisdiction, (5)
5 to the Department of Healthcare and Family Services (formerly
6 Department of Public Aid) for utilization in the child support
7 enforcement duties assigned to that Department under
8 provisions of the Illinois Public Aid Code after the individual
9 has received advanced meaningful notification of what
10 redisclosure is sought by the Secretary in accordance with the
11 federal Privacy Act, (5.5) to the Department of Healthcare and
12 Family Services and the Department of Human Services solely for
13 the purpose of verifying Illinois residency where such
14 residency is an eligibility requirement for benefits under the
15 Illinois Public Aid Code or any other health benefit program
16 administered by the Department of Healthcare and Family
17 Services or the Department of Human Services, (6) to the
18 Illinois Department of Revenue solely for use by the Department
19 in the collection of any tax or debt that the Department of
20 Revenue is authorized or required by law to collect, provided
21 that the Department shall not disclose the social security
22 number to any person or entity outside of the Department, ~~or~~
23 (7) to the Illinois Department of Veterans' Affairs for the
24 purpose of confirming veteran status, or (8) the last 4 digits
25 to the Illinois State Board of Elections for purposes of voter
26 registration and as may be required pursuant to an agreement

1 for a multi-state voter registration list maintenance system.
2 If social security information is disclosed by the Secretary in
3 accordance with this Section, no liability shall rest with the
4 Office of the Secretary of State or any of its officers or
5 employees, as the information is released for official purposes
6 only.

7 (i) (Blank).

8 (j) Medical statements or medical reports received in the
9 Secretary of State's Office shall be confidential. Except as
10 provided in this Section, no confidential information may be
11 open to public inspection or the contents disclosed to anyone,
12 except officers and employees of the Secretary who have a need
13 to know the information contained in the medical reports and
14 the Driver License Medical Advisory Board, unless so directed
15 by an order of a court of competent jurisdiction. If the
16 Secretary receives a medical report regarding a driver that
17 does not address a medical condition contained in a previous
18 medical report, the Secretary may disclose the unaddressed
19 medical condition to the driver or his or her physician, or
20 both, solely for the purpose of submission of a medical report
21 that addresses the condition.

22 (k) Disbursement of fees collected under this Section shall
23 be as follows: (1) of the \$12 fee for a driver's record, \$3
24 shall be paid into the Secretary of State Special Services
25 Fund, and \$6 shall be paid into the General Revenue Fund; (2)
26 50% of the amounts collected under subsection (b) shall be paid

1 into the General Revenue Fund; and (3) all remaining fees shall
2 be disbursed under subsection (g) of Section 2-119 of this
3 Code.

4 (l) (Blank).

5 (m) Notations of accident involvement that may be disclosed
6 under this Section shall not include notations relating to
7 damage to a vehicle or other property being transported by a
8 tow truck. This information shall remain confidential,
9 provided that nothing in this subsection (m) shall limit
10 disclosure of any notification of accident involvement to any
11 law enforcement agency or official.

12 (n) Requests made by the news media for driver's license,
13 vehicle, or title registration information may be furnished
14 without charge or at a reduced charge, as determined by the
15 Secretary, when the specific purpose for requesting the
16 documents is deemed to be in the public interest. Waiver or
17 reduction of the fee is in the public interest if the principal
18 purpose of the request is to access and disseminate information
19 regarding the health, safety, and welfare or the legal rights
20 of the general public and is not for the principal purpose of
21 gaining a personal or commercial benefit. The information
22 provided pursuant to this subsection shall not contain
23 personally identifying information unless the information is
24 to be used for one of the purposes identified in subsection
25 (f-5) of this Section.

26 (o) The redisclosure of personally identifying information

1 obtained pursuant to this Section is prohibited, except to the
2 extent necessary to effectuate the purpose for which the
3 original disclosure of the information was permitted.

4 (p) The Secretary of State is empowered to adopt rules to
5 effectuate this Section.

6 (Source: P.A. 99-127, eff. 1-1-16; 100-590, eff. 6-8-18;
7 revised 10-11-18.)

8 (625 ILCS 5/6-110.1)

9 Sec. 6-110.1. Confidentiality of captured photographs or
10 images. The Secretary of State shall maintain a file on or
11 contract to file all photographs and signatures obtained in the
12 process of issuing a driver's license, permit, or
13 identification card. The photographs and signatures shall be
14 confidential and shall not be disclosed except to the following
15 persons:

16 (1) the individual upon written request;

17 (2) officers and employees of the Secretary of State
18 who have a need to have access to the stored images for
19 purposes of issuing and controlling driver's licenses,
20 permits, or identification cards and investigation of
21 fraud or misconduct;

22 (3) law enforcement officials for a ~~lawful~~ civil or
23 criminal law enforcement investigation;

24 (3-5) the State Board of Elections for the sole purpose
25 of providing the signatures required by a local election

1 authority to register a voter through an online voter
2 registration system;

3 (3-10) officers and employees of the Secretary of State
4 who have a need to have access to the stored images for
5 purposes of issuing and controlling notary public
6 commissions and for the purpose of providing the signatures
7 required to process online applications for appointment
8 and commission as notaries public; or

9 (4) other entities that the Secretary may exempt by
10 rule.

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

12 (625 ILCS 5/6-110.2 new)

13 Sec. 6-110.2. Confidentiality of documents submitted with
14 an application for a driver's license. Documents required to be
15 submitted with an application for a driver's license to prove
16 the applicant's identity (name and date of birth), social
17 security number, written signature, residency, and, as
18 applicable, proof of lawful status shall be confidential and
19 shall not be disclosed except to the following persons:

20 (1) the individual to whom the driver's license or
21 permit was issued, upon written request;

22 (2) officers and employees of the Secretary of State
23 who have a need to have access to the stored images for
24 purposes of issuing and controlling driver's licenses,
25 permits, or identification cards and investigation of

1 fraud or misconduct;
2 (3) law enforcement officials for a civil or criminal
3 law enforcement investigation;
4 (4) other entities that the Secretary may authorize by
5 rule.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 15 ILCS 335/1A

4 15 ILCS 335/11 from Ch. 124, par. 31

5 625 ILCS 5/1-159.2

6 625 ILCS 5/2-123 from Ch. 95 1/2, par. 2-123

7 625 ILCS 5/6-110.1

8 625 ILCS 5/6-110.2 new