



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0198

Introduced 1/22/2021, by Rep. Michael T. Marron

SYNOPSIS AS INTRODUCED:

See Index

Creates the Public Safety and Justice Privacy Act. Defines terms. Provides that government agencies, persons, businesses, and associations shall not publicly post or display publicly available content that includes a first responder's, prosecutor's, public defender's, or probation officer's ("officials") 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 an official or an official'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 officials. Amends various Acts and Codes allowing an official to list a business address rather than a home address and makes conforming changes. Effective immediately.

LRB102 04226 AWJ 14243 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 Public
5 Safety and Justice Privacy Act.

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

7 "Assistant Public Defender" and "Assistant State's
8 Attorney" have the meanings given to those terms in Section 15
9 of the Public Interest Attorney Assistance Act.

10 "First responder" means a law enforcement officer or
11 fireman as defined in Section 2 of the Line of Duty
12 Compensation Act, an "emergency medical technician (EMT)" as
13 defined in Section 3.50 of the Emergency Medical Services
14 (EMS) Systems Act, and any other person who is at least 18
15 years of age who has successfully completed a course of
16 instruction in emergency medical responder first response as
17 prescribed by the Illinois Department of Public Health, and
18 who provides first response services prior to the arrival of
19 an ambulance or specialized emergency medical services
20 vehicle, in accordance with the level of care established in
21 the emergency medical responder first response course.

22 "Government agency", "personal information", "publicly
23 available content", and "publicly post" or "publicly display"

1 have the meanings given to those terms in 1-10 of Judicial
2 Privacy Act.

3 "Home address" includes an official's permanent residence
4 and any secondary residences affirmatively identified by the
5 official, but does not include an official's work address.

6 "Immediate family" includes an official's spouse, child,
7 parent, or any blood relative of the official or the
8 official's spouse who lives in the same residence.

9 "Official" includes:

- 10 (1) First responders.
- 11 (2) Prosecutors.
- 12 (3) Public defenders.
- 13 (4) Probation officers.

14 "Probation officer" has the meaning given to that term in
15 Section 9b of the Probation and Probation Officers Act.

16 "Prosecutor" means a State's Attorney, Assistant State's
17 Attorney, or a prosecutor for a unit of local government.

18 "Public defender" means a Public Defender or an Assistant
19 Public Defender.

20 "Written request" means written notice signed by an
21 official or a representative of the official's employer
22 requesting a government agency, person, business, or
23 association to refrain from posting or displaying publicly
24 available content that includes the official's personal
25 information.

1 Section 10. Publicly posting or displaying an official's
2 personal information by government agencies.

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

18 (b) If a government agency fails to comply with a written
19 request to refrain from disclosing personal information, the
20 official may bring an action in the circuit court seeking
21 injunctive or declaratory relief.

22 Section 15. Publicly posting an official's personal
23 information on the Internet by persons, businesses, and
24 associations.

25 (a) Prohibited Conduct.

1 (1) All persons, businesses, and associations shall
2 refrain from publicly posting or displaying on the
3 Internet publicly available content that includes an
4 official's personal information, provided that the
5 official has made a written request to the person,
6 business, or association that it refrain from disclosing
7 the personal information.

8 (2) No person, business, or association shall solicit,
9 sell, or trade on the Internet an official's personal
10 information with the intent to pose an imminent and
11 serious threat to the health and safety of the official or
12 the official's immediate family.

13 (3) This subsection includes, but is not limited to,
14 Internet phone directories, Internet search engines,
15 Internet data aggregators, and Internet service providers.

16 (b) Required Conduct.

17 (1) After a person, business, or association has
18 received a written request from an official to protect the
19 privacy of the officer's personal information, that
20 person, business, or association shall have 72 hours to
21 remove the personal information from the Internet.

22 (2) After a person, business, or association has
23 received a written request from an official, that person,
24 business, or association shall ensure that the official's
25 personal information is not made available on any website
26 or subsidiary website controlled by that person, business,

1 or association.

2 (3) After receiving an official's written request, no
3 person, business, or association shall transfer the
4 official's personal information to any other person,
5 business, or association through any medium.

6 (c) Redress. An official whose personal information is
7 made public as a result of a violation of this Section may
8 bring an action in the circuit court seeking injunctive or
9 declaratory relief. If the court grants injunctive or
10 declaratory relief, the person, business, or association
11 responsible for the violation shall be required to pay the
12 official's costs and reasonable attorney's fees.

13 Section 20. Procedure for completing a written request.

14 (a) No government agency, person, business, or association
15 shall be found to have violated any provision of this Act if
16 the official fails to submit a written request calling for the
17 protection of the officer's personal information.

18 (b) A written request is valid if:

19 (1) the official sends a written request directly to a
20 government agency, person, business, or association; or

21 (2) the Secretary of State creates a policy and
22 procedure for an official to file the written request with
23 the Secretary of State to notify government agencies, the
24 official may send the written request to the Secretary of
25 State as provided in the policy and procedure. In each

1 quarter of a calendar year, the Secretary of State shall
2 provide a list of all officials who have submitted a
3 written request to it to the appropriate officer with
4 ultimate supervisory authority for a government agency.
5 The officer shall promptly provide a copy of the list to
6 any and all government agencies under his or her
7 supervision. Receipt of the written request list compiled
8 by the Secretary of State by a government agency shall
9 constitute a written request to that agency for the
10 purposes of this Act.

11 (c) A representative from the official's employer may
12 submit a written request on the official's behalf, provided
13 that the official gives written consent to the representative
14 and provided that the representative agrees to furnish a copy
15 of that consent when a written request is made. The
16 representative shall submit the written request as provided in
17 subsection (b).

18 (d) An official's written request shall specify what
19 personal information shall be maintained private.

20 If an official wishes to identify a secondary residence as
21 a home address, the designation shall be made in the written
22 request.

23 An official shall disclose the identity of the officer's
24 immediate family and indicate that the personal information of
25 these family members shall also be excluded to the extent that
26 it could reasonably be expected to reveal the personal

1 information of the official.

2 (e) An official's written request is valid until the
3 official provides the government agency, person, business, or
4 association with written permission to release the private
5 information. An official's written request expires on death.

6 Section 25. Unlawful publication of personal information.

7 (a) It is unlawful for any person to knowingly publicly
8 post on the Internet the personal information of an official
9 or of the official's immediate family if the person knows or
10 reasonably should know that publicly posting the personal
11 information poses an imminent and serious threat to the health
12 and safety of the official or the official's immediate family
13 and the violation is a proximate cause of bodily injury or
14 death of the official or a member of the official's immediate
15 family. A person who violates this Section is guilty of a Class
16 3 felony.

17 (b) If an employee of a government agency has complied
18 with the provisions of this Act, it is not a violation of
19 subsection (a) if the employee publishes personal information,
20 in good faith, on the website of the government agency in the
21 ordinary course of carrying out public functions.

22 Section 30. Construction. This Act and any rules adopted
23 to implement this Act shall be construed broadly to favor the
24 protection of the personal information of officials.

1 Section 100. The Freedom of Information Act is amended by
2 changing Section 7 as follows:

3 (5 ILCS 140/7) (from Ch. 116, par. 207)

4 Sec. 7. Exemptions.

5 (1) When a request is made to inspect or copy a public
6 record that contains information that is exempt from
7 disclosure under this Section, but also contains information
8 that is not exempt from disclosure, the public body may elect
9 to redact the information that is exempt. The public body
10 shall make the remaining information available for inspection
11 and copying. Subject to this requirement, the following shall
12 be exempt from inspection and copying:

13 (a) Information specifically prohibited from
14 disclosure by federal or State law or rules and
15 regulations implementing federal or State law.

16 (b) Private information, unless disclosure is required
17 by another provision of this Act, a State or federal law or
18 a court order.

19 (b-5) Files, documents, and other data or databases
20 maintained by one or more law enforcement agencies and
21 specifically designed to provide information to one or
22 more law enforcement agencies regarding the physical or
23 mental status of one or more individual subjects.

24 (c) Personal information contained within public

1 records, the disclosure of which would constitute a
2 clearly unwarranted invasion of personal privacy, unless
3 the disclosure is consented to in writing by the
4 individual subjects of the information. "Unwarranted
5 invasion of personal privacy" means the disclosure of
6 information that is highly personal or objectionable to a
7 reasonable person and in which the subject's right to
8 privacy outweighs any legitimate public interest in
9 obtaining the information. The disclosure of information
10 that bears on the public duties of public employees and
11 officials shall not be considered an invasion of personal
12 privacy.

13 (d) Records in the possession of any public body
14 created in the course of administrative enforcement
15 proceedings, and any law enforcement or correctional
16 agency for law enforcement purposes, but only to the
17 extent that disclosure would:

18 (i) interfere with pending or actually and
19 reasonably contemplated law enforcement proceedings
20 conducted by any law enforcement or correctional
21 agency that is the recipient of the request;

22 (ii) interfere with active administrative
23 enforcement proceedings conducted by the public body
24 that is the recipient of the request;

25 (iii) create a substantial likelihood that a
26 person will be deprived of a fair trial or an impartial

1 hearing;

2 (iv) unavoidably disclose the identity of a
3 confidential source, confidential information
4 furnished only by the confidential source, or persons
5 who file complaints with or provide information to
6 administrative, investigative, law enforcement, or
7 penal agencies; except that the identities of
8 witnesses to traffic accidents, traffic accident
9 reports, and rescue reports shall be provided by
10 agencies of local government, except when disclosure
11 would interfere with an active criminal investigation
12 conducted by the agency that is the recipient of the
13 request;

14 (v) disclose unique or specialized investigative
15 techniques other than those generally used and known
16 or disclose internal documents of correctional
17 agencies related to detection, observation or
18 investigation of incidents of crime or misconduct, and
19 disclosure would result in demonstrable harm to the
20 agency or public body that is the recipient of the
21 request;

22 (vi) endanger the life or physical safety of law
23 enforcement personnel or any other person; or

24 (vii) obstruct an ongoing criminal investigation
25 by the agency that is the recipient of the request.

26 (d-5) A law enforcement record created for law

1 enforcement purposes and contained in a shared electronic
2 record management system if the law enforcement agency
3 that is the recipient of the request did not create the
4 record, did not participate in or have a role in any of the
5 events which are the subject of the record, and only has
6 access to the record through the shared electronic record
7 management system.

8 (e) Records that relate to or affect the security of
9 correctional institutions and detention facilities.

10 (e-5) Records requested by persons committed to the
11 Department of Corrections, Department of Human Services
12 Division of Mental Health, or a county jail if those
13 materials are available in the library of the correctional
14 institution or facility or jail where the inmate is
15 confined.

16 (e-6) Records requested by persons committed to the
17 Department of Corrections, Department of Human Services
18 Division of Mental Health, or a county jail if those
19 materials include records from staff members' personnel
20 files, staff rosters, or other staffing assignment
21 information.

22 (e-7) Records requested by persons committed to the
23 Department of Corrections or Department of Human Services
24 Division of Mental Health if those materials are available
25 through an administrative request to the Department of
26 Corrections or Department of Human Services Division of

1 Mental Health.

2 (e-8) Records requested by a person committed to the
3 Department of Corrections, Department of Human Services
4 Division of Mental Health, or a county jail, the
5 disclosure of which would result in the risk of harm to any
6 person or the risk of an escape from a jail or correctional
7 institution or facility.

8 (e-9) Records requested by a person in a county jail
9 or committed to the Department of Corrections or
10 Department of Human Services Division of Mental Health,
11 containing personal information pertaining to the person's
12 victim or the victim's family, including, but not limited
13 to, a victim's home address, home telephone number, work
14 or school address, work telephone number, social security
15 number, or any other identifying information, except as
16 may be relevant to a requester's current or potential case
17 or claim.

18 (e-10) Law enforcement records of other persons
19 requested by a person committed to the Department of
20 Corrections, Department of Human Services Division of
21 Mental Health, or a county jail, including, but not
22 limited to, arrest and booking records, mug shots, and
23 crime scene photographs, except as these records may be
24 relevant to the requester's current or potential case or
25 claim.

26 (f) Preliminary drafts, notes, recommendations,

1 memoranda and other records in which opinions are
2 expressed, or policies or actions are formulated, except
3 that a specific record or relevant portion of a record
4 shall not be exempt when the record is publicly cited and
5 identified by the head of the public body. The exemption
6 provided in this paragraph (f) extends to all those
7 records of officers and agencies of the General Assembly
8 that pertain to the preparation of legislative documents.

9 (g) Trade secrets and commercial or financial
10 information obtained from a person or business where the
11 trade secrets or commercial or financial information are
12 furnished under a claim that they are proprietary,
13 privileged, or confidential, and that disclosure of the
14 trade secrets or commercial or financial information would
15 cause competitive harm to the person or business, and only
16 insofar as the claim directly applies to the records
17 requested.

18 The information included under this exemption includes
19 all trade secrets and commercial or financial information
20 obtained by a public body, including a public pension
21 fund, from a private equity fund or a privately held
22 company within the investment portfolio of a private
23 equity fund as a result of either investing or evaluating
24 a potential investment of public funds in a private equity
25 fund. The exemption contained in this item does not apply
26 to the aggregate financial performance information of a

1 private equity fund, nor to the identity of the fund's
2 managers or general partners. The exemption contained in
3 this item does not apply to the identity of a privately
4 held company within the investment portfolio of a private
5 equity fund, unless the disclosure of the identity of a
6 privately held company may cause competitive harm.

7 Nothing contained in this paragraph (g) shall be
8 construed to prevent a person or business from consenting
9 to disclosure.

10 (h) Proposals and bids for any contract, grant, or
11 agreement, including information which if it were
12 disclosed would frustrate procurement or give an advantage
13 to any person proposing to enter into a contractor
14 agreement with the body, until an award or final selection
15 is made. Information prepared by or for the body in
16 preparation of a bid solicitation shall be exempt until an
17 award or final selection is made.

18 (i) Valuable formulae, computer geographic systems,
19 designs, drawings and research data obtained or produced
20 by any public body when disclosure could reasonably be
21 expected to produce private gain or public loss. The
22 exemption for "computer geographic systems" provided in
23 this paragraph (i) does not extend to requests made by
24 news media as defined in Section 2 of this Act when the
25 requested information is not otherwise exempt and the only
26 purpose of the request is to access and disseminate

1 information regarding the health, safety, welfare, or
2 legal rights of the general public.

3 (j) The following information pertaining to
4 educational matters:

5 (i) test questions, scoring keys and other
6 examination data used to administer an academic
7 examination;

8 (ii) information received by a primary or
9 secondary school, college, or university under its
10 procedures for the evaluation of faculty members by
11 their academic peers;

12 (iii) information concerning a school or
13 university's adjudication of student disciplinary
14 cases, but only to the extent that disclosure would
15 unavoidably reveal the identity of the student; and

16 (iv) course materials or research materials used
17 by faculty members.

18 (k) Architects' plans, engineers' technical
19 submissions, and other construction related technical
20 documents for projects not constructed or developed in
21 whole or in part with public funds and the same for
22 projects constructed or developed with public funds,
23 including, but not limited to, power generating and
24 distribution stations and other transmission and
25 distribution facilities, water treatment facilities,
26 airport facilities, sport stadiums, convention centers,

1 and all government owned, operated, or occupied buildings,
2 but only to the extent that disclosure would compromise
3 security.

4 (l) Minutes of meetings of public bodies closed to the
5 public as provided in the Open Meetings Act until the
6 public body makes the minutes available to the public
7 under Section 2.06 of the Open Meetings Act.

8 (m) Communications between a public body and an
9 attorney or auditor representing the public body that
10 would not be subject to discovery in litigation, and
11 materials prepared or compiled by or for a public body in
12 anticipation of a criminal, civil, or administrative
13 proceeding upon the request of an attorney advising the
14 public body, and materials prepared or compiled with
15 respect to internal audits of public bodies.

16 (n) Records relating to a public body's adjudication
17 of employee grievances or disciplinary cases; however,
18 this exemption shall not extend to the final outcome of
19 cases in which discipline is imposed.

20 (o) Administrative or technical information associated
21 with automated data processing operations, including, but
22 not limited to, software, operating protocols, computer
23 program abstracts, file layouts, source listings, object
24 modules, load modules, user guides, documentation
25 pertaining to all logical and physical design of
26 computerized systems, employee manuals, and any other

1 information that, if disclosed, would jeopardize the
2 security of the system or its data or the security of
3 materials exempt under this Section.

4 (p) Records relating to collective negotiating matters
5 between public bodies and their employees or
6 representatives, except that any final contract or
7 agreement shall be subject to inspection and copying.

8 (q) Test questions, scoring keys, and other
9 examination data used to determine the qualifications of
10 an applicant for a license or employment.

11 (r) The records, documents, and information relating
12 to real estate purchase negotiations until those
13 negotiations have been completed or otherwise terminated.
14 With regard to a parcel involved in a pending or actually
15 and reasonably contemplated eminent domain proceeding
16 under the Eminent Domain Act, records, documents, and
17 information relating to that parcel shall be exempt except
18 as may be allowed under discovery rules adopted by the
19 Illinois Supreme Court. The records, documents, and
20 information relating to a real estate sale shall be exempt
21 until a sale is consummated.

22 (s) Any and all proprietary information and records
23 related to the operation of an intergovernmental risk
24 management association or self-insurance pool or jointly
25 self-administered health and accident cooperative or pool.
26 Insurance or self insurance (including any

1 intergovernmental risk management association or self
2 insurance pool) claims, loss or risk management
3 information, records, data, advice or communications.

4 (t) Information contained in or related to
5 examination, operating, or condition reports prepared by,
6 on behalf of, or for the use of a public body responsible
7 for the regulation or supervision of financial
8 institutions, insurance companies, or pharmacy benefit
9 managers, unless disclosure is otherwise required by State
10 law.

11 (u) Information that would disclose or might lead to
12 the disclosure of secret or confidential information,
13 codes, algorithms, programs, or private keys intended to
14 be used to create electronic or digital signatures under
15 the Electronic Commerce Security Act.

16 (v) Vulnerability assessments, security measures, and
17 response policies or plans that are designed to identify,
18 prevent, or respond to potential attacks upon a
19 community's population or systems, facilities, or
20 installations, the destruction or contamination of which
21 would constitute a clear and present danger to the health
22 or safety of the community, but only to the extent that
23 disclosure could reasonably be expected to jeopardize the
24 effectiveness of the measures or the safety of the
25 personnel who implement them or the public. Information
26 exempt under this item may include such things as details

1 pertaining to the mobilization or deployment of personnel
2 or equipment, to the operation of communication systems or
3 protocols, or to tactical operations.

4 (w) (Blank).

5 (x) Maps and other records regarding the location or
6 security of generation, transmission, distribution,
7 storage, gathering, treatment, or switching facilities
8 owned by a utility, by a power generator, or by the
9 Illinois Power Agency.

10 (y) Information contained in or related to proposals,
11 bids, or negotiations related to electric power
12 procurement under Section 1-75 of the Illinois Power
13 Agency Act and Section 16-111.5 of the Public Utilities
14 Act that is determined to be confidential and proprietary
15 by the Illinois Power Agency or by the Illinois Commerce
16 Commission.

17 (z) Information about students exempted from
18 disclosure under Sections 10-20.38 or 34-18.29 of the
19 School Code, and information about undergraduate students
20 enrolled at an institution of higher education exempted
21 from disclosure under Section 25 of the Illinois Credit
22 Card Marketing Act of 2009.

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

25 (bb) Records and information provided to a mortality
26 review team and records maintained by a mortality review

1 team appointed under the Department of Juvenile Justice
2 Mortality Review Team Act.

3 (cc) Information regarding interments, entombments, or
4 inurnments of human remains that are submitted to the
5 Cemetery Oversight Database under the Cemetery Care Act or
6 the Cemetery Oversight Act, whichever is applicable.

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

11 (ee) The names, addresses, or other personal
12 information of persons who are minors and are also
13 participants and registrants in programs of park
14 districts, forest preserve districts, conservation
15 districts, recreation agencies, and special recreation
16 associations.

17 (ff) The names, addresses, or other personal
18 information of participants and registrants in programs of
19 park districts, forest preserve districts, conservation
20 districts, recreation agencies, and special recreation
21 associations where such programs are targeted primarily to
22 minors.

23 (gg) Confidential information described in Section
24 1-100 of the Illinois Independent Tax Tribunal Act of
25 2012.

26 (hh) The report submitted to the State Board of

1 Education by the School Security and Standards Task Force
2 under item (8) of subsection (d) of Section 2-3.160 of the
3 School Code and any information contained in that report.

4 (ii) Records requested by persons committed to or
5 detained by the Department of Human Services under the
6 Sexually Violent Persons Commitment Act or committed to
7 the Department of Corrections under the Sexually Dangerous
8 Persons Act if those materials: (i) are available in the
9 library of the facility where the individual is confined;
10 (ii) include records from staff members' personnel files,
11 staff rosters, or other staffing assignment information;
12 or (iii) are available through an administrative request
13 to the Department of Human Services or the Department of
14 Corrections.

15 (jj) Confidential information described in Section
16 5-535 of the Civil Administrative Code of Illinois.

17 (kk) The public body's credit card numbers, debit card
18 numbers, bank account numbers, Federal Employer
19 Identification Number, security code numbers, passwords,
20 and similar account information, the disclosure of which
21 could result in identity theft or impression or defrauding
22 of a governmental entity or a person.

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

25 (1.5) Any information exempt from disclosure under the
26 Judicial Privacy Act and the Public Safety and Justice Privacy

1 Act shall be redacted from public records prior to disclosure
2 under this Act.

3 (2) A public record that is not in the possession of a
4 public body but is in the possession of a party with whom the
5 agency has contracted to perform a governmental function on
6 behalf of the public body, and that directly relates to the
7 governmental function and is not otherwise exempt under this
8 Act, shall be considered a public record of the public body,
9 for purposes of this Act.

10 (3) This Section does not authorize withholding of
11 information or limit the availability of records to the
12 public, except as stated in this Section or otherwise provided
13 in this Act.

14 (Source: P.A. 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;
15 100-732, eff. 8-3-18; 101-434, eff. 1-1-20; 101-452, eff.
16 1-1-20; 101-455, eff. 8-23-19; revised 9-27-19.)

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

19 (10 ILCS 5/10-10.3 new)

20 Sec. 10-10.3. Removal of an official's address information
21 from the certificate of nomination or nomination papers.

22 (a) As used in this Section, "home address" and "official"
23 have the meanings given to those terms in Section 5 of the
24 Public Safety and Justice Privacy Act.

1 (b) Upon expiration of the period for filing an objection
2 to an official's certificate of nomination or nomination
3 papers, an official who is a candidate may file a written
4 request with the State Board of Elections for redaction of the
5 official's home address information from his or her
6 certificate of nomination or nomination papers. After receipt
7 of the official's written request, the State Board of
8 Elections shall redact or cause redaction of the official's
9 home address from his or her certificate of nomination or
10 nomination papers within 5 business days.

11 (c) Prior to expiration of the period for filing an
12 objection to an official's certificate of nomination or
13 nomination papers, the home address information from the
14 certificate of nomination or nomination papers of an official
15 who is a candidate is available for public inspection. After
16 redaction of an official's home address information under
17 subsection (b), the home address information is only available
18 for an in camera inspection by the court reviewing an
19 objection to the official's certificate of nomination or
20 nomination papers.

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

23 (15 ILCS 335/4) (from Ch. 124, par. 24)

24 Sec. 4. Identification card.

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

22 (a-5) If an applicant for an identification card has a
23 current driver's license or instruction permit issued by the
24 Secretary of State, the Secretary may require the applicant to
25 utilize the same residence address and name on the
26 identification card, driver's license, and instruction permit

1 records maintained by the Secretary. The Secretary may
2 promulgate rules to implement this provision.

3 (a-10) If the applicant is a judicial officer as defined
4 in Section 1-10 of the Judicial Privacy Act, an official as
5 defined in Section 5 of the Public Safety and Justice Privacy
6 Act, or a peace officer, the applicant may elect to have his or
7 her office or work address listed on the card instead of the
8 applicant's residence or mailing address. The Secretary may
9 promulgate rules to implement this provision. For the purposes
10 of this subsection (a-10), "peace officer" means any person
11 who by virtue of his or her office or public employment is
12 vested by law with a duty to maintain public order or to make
13 arrests for a violation of any penal statute of this State,
14 whether that duty extends to all violations or is limited to
15 specific violations.

16 (a-15) The Secretary of State may provide for an expedited
17 process for the issuance of an Illinois Identification Card.
18 The Secretary shall charge an additional fee for the expedited
19 issuance of an Illinois Identification Card, to be set by
20 rule, not to exceed \$75. All fees collected by the Secretary
21 for expedited Illinois Identification Card service shall be
22 deposited into the Secretary of State Special Services Fund.
23 The Secretary may adopt rules regarding the eligibility,
24 process, and fee for an expedited Illinois Identification
25 Card. If the Secretary of State determines that the volume of
26 expedited identification card requests received on a given day

1 exceeds the ability of the Secretary to process those requests
2 in an expedited manner, the Secretary may decline to provide
3 expedited services, and the additional fee for the expedited
4 service shall be refunded to the applicant.

5 (a-20) The Secretary of State shall issue a standard
6 Illinois Identification Card to a committed person upon
7 release on parole, mandatory supervised release, aftercare
8 release, final discharge, or pardon from the Department of
9 Corrections or Department of Juvenile Justice, if the released
10 person presents a certified copy of his or her birth
11 certificate, social security card or other documents
12 authorized by the Secretary, and 2 documents proving his or
13 her Illinois residence address. Documents proving residence
14 address may include any official document of the Department of
15 Corrections or the Department of Juvenile Justice showing the
16 released person's address after release and a Secretary of
17 State prescribed certificate of residency form, which may be
18 executed by Department of Corrections or Department of
19 Juvenile Justice personnel.

20 (a-25) The Secretary of State shall issue a limited-term
21 Illinois Identification Card valid for 90 days to a committed
22 person upon release on parole, mandatory supervised release,
23 aftercare release, final discharge, or pardon from the
24 Department of Corrections or Department of Juvenile Justice,
25 if the released person is unable to present a certified copy of
26 his or her birth certificate and social security card or other

1 documents authorized by the Secretary, but does present a
2 Secretary of State prescribed verification form completed by
3 the Department of Corrections or Department of Juvenile
4 Justice, verifying the released person's date of birth and
5 social security number and 2 documents proving his or her
6 Illinois residence address. The verification form must have
7 been completed no more than 30 days prior to the date of
8 application for the Illinois Identification Card. Documents
9 proving residence address shall include any official document
10 of the Department of Corrections or the Department of Juvenile
11 Justice showing the person's address after release and a
12 Secretary of State prescribed certificate of residency, which
13 may be executed by Department of Corrections or Department of
14 Juvenile Justice personnel.

15 Prior to the expiration of the 90-day period of the
16 limited-term Illinois Identification Card, if the released
17 person submits to the Secretary of State a certified copy of
18 his or her birth certificate and his or her social security
19 card or other documents authorized by the Secretary, a
20 standard Illinois Identification Card shall be issued. A
21 limited-term Illinois Identification Card may not be renewed.

22 (a-30) The Secretary of State shall issue a standard
23 Illinois Identification Card to a person upon conditional
24 release or absolute discharge from the custody of the
25 Department of Human Services, if the person presents a
26 certified copy of his or her birth certificate, social

1 security card, or other documents authorized by the Secretary,
2 and a document proving his or her Illinois residence address.
3 The Secretary of State shall issue a standard Illinois
4 Identification Card to a person no sooner than 14 days prior to
5 his or her conditional release or absolute discharge if
6 personnel from the Department of Human Services bring the
7 person to a Secretary of State location with the required
8 documents. Documents proving residence address may include any
9 official document of the Department of Human Services showing
10 the person's address after release and a Secretary of State
11 prescribed verification form, which may be executed by
12 personnel of the Department of Human Services.

13 (a-35) The Secretary of State shall issue a limited-term
14 Illinois Identification Card valid for 90 days to a person
15 upon conditional release or absolute discharge from the
16 custody of the Department of Human Services, if the person is
17 unable to present a certified copy of his or her birth
18 certificate and social security card or other documents
19 authorized by the Secretary, but does present a Secretary of
20 State prescribed verification form completed by the Department
21 of Human Services, verifying the person's date of birth and
22 social security number, and a document proving his or her
23 Illinois residence address. The verification form must have
24 been completed no more than 30 days prior to the date of
25 application for the Illinois Identification Card. The
26 Secretary of State shall issue a limited-term Illinois

1 Identification Card to a person no sooner than 14 days prior to
2 his or her conditional release or absolute discharge if
3 personnel from the Department of Human Services bring the
4 person to a Secretary of State location with the required
5 documents. Documents proving residence address shall include
6 any official document of the Department of Human Services
7 showing the person's address after release and a Secretary of
8 State prescribed verification form, which may be executed by
9 personnel of the Department of Human Services.

10 (b) The Secretary of State shall issue a special Illinois
11 Identification Card, which shall be known as an Illinois
12 Person with a Disability Identification Card, to any natural
13 person who is a resident of the State of Illinois, who is a
14 person with a disability as defined in Section 4A of this Act,
15 who applies for such card, or renewal thereof. No Illinois
16 Person with a Disability Identification Card shall be issued
17 to any person who holds a valid foreign state identification
18 card, license, or permit unless the person first surrenders to
19 the Secretary of State the valid foreign state identification
20 card, license, or permit. The Secretary of State shall charge
21 no fee to issue such card. The card shall be prepared and
22 supplied by the Secretary of State, and shall include a
23 photograph and signature or mark of the applicant, a
24 designation indicating that the card is an Illinois Person
25 with a Disability Identification Card, and shall include a
26 comprehensible designation of the type and classification of

1 the applicant's disability as set out in Section 4A of this
2 Act. However, the Secretary of State may provide by rule for
3 the issuance of Illinois Person with a Disability
4 Identification Cards without photographs if the applicant has
5 a bona fide religious objection to being photographed or to
6 the display of his or her photograph. If the applicant so
7 requests, the card shall include a description of the
8 applicant's disability and any information about the
9 applicant's disability or medical history which the Secretary
10 determines would be helpful to the applicant in securing
11 emergency medical care. If a mark is used in lieu of a
12 signature, such mark shall be affixed to the card in the
13 presence of two witnesses who attest to the authenticity of
14 the mark. The Illinois Person with a Disability Identification
15 Card may be used for identification purposes in any lawful
16 situation by the person to whom it was issued.

17 The Illinois Person with a Disability Identification Card
18 may be used as adequate documentation of disability in lieu of
19 a physician's determination of disability, a determination of
20 disability from a physician assistant, a determination of
21 disability from an advanced practice registered nurse, or any
22 other documentation of disability whenever any State law
23 requires that a person with a disability provide such
24 documentation of disability, however an Illinois Person with a
25 Disability Identification Card shall not qualify the
26 cardholder to participate in any program or to receive any

1 benefit which is not available to all persons with like
2 disabilities. Notwithstanding any other provisions of law, an
3 Illinois Person with a Disability Identification Card, or
4 evidence that the Secretary of State has issued an Illinois
5 Person with a Disability Identification Card, shall not be
6 used by any person other than the person named on such card to
7 prove that the person named on such card is a person with a
8 disability or for any other purpose unless the card is used for
9 the benefit of the person named on such card, and the person
10 named on such card consents to such use at the time the card is
11 so used.

12 An optometrist's determination of a visual disability
13 under Section 4A of this Act is acceptable as documentation
14 for the purpose of issuing an Illinois Person with a
15 Disability Identification Card.

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

20 (c) The Secretary of State shall provide that each
21 original or renewal Illinois Identification Card or Illinois
22 Person with a Disability Identification Card issued to a
23 person under the age of 21 shall be of a distinct nature from
24 those Illinois Identification Cards or Illinois Person with a
25 Disability Identification Cards issued to individuals 21 years
26 of age or older. The color designated for Illinois

1 Identification Cards or Illinois Person with a Disability
2 Identification Cards for persons under the age of 21 shall be
3 at the discretion of the Secretary of State.

4 (c-1) Each original or renewal Illinois Identification
5 Card or Illinois Person with a Disability Identification Card
6 issued to a person under the age of 21 shall display the date
7 upon which the person becomes 18 years of age and the date upon
8 which the person becomes 21 years of age.

9 (c-3) The General Assembly recognizes the need to identify
10 military veterans living in this State for the purpose of
11 ensuring that they receive all of the services and benefits to
12 which they are legally entitled, including healthcare,
13 education assistance, and job placement. To assist the State
14 in identifying these veterans and delivering these vital
15 services and benefits, the Secretary of State is authorized to
16 issue Illinois Identification Cards and Illinois Person with a
17 Disability Identification Cards with the word "veteran"
18 appearing on the face of the cards. This authorization is
19 predicated on the unique status of veterans. The Secretary may
20 not issue any other identification card which identifies an
21 occupation, status, affiliation, hobby, or other unique
22 characteristics of the identification card holder which is
23 unrelated to the purpose of the identification card.

24 (c-5) Beginning on or before July 1, 2015, the Secretary
25 of State shall designate a space on each original or renewal
26 identification card where, at the request of the applicant,

1 the word "veteran" shall be placed. The veteran designation
2 shall be available to a person identified as a veteran under
3 subsection (b) of Section 5 of this Act who was discharged or
4 separated under honorable conditions.

5 (d) The Secretary of State may issue a Senior Citizen
6 discount card, to any natural person who is a resident of the
7 State of Illinois who is 60 years of age or older and who
8 applies for such a card or renewal thereof. The Secretary of
9 State shall charge no fee to issue such card. The card shall be
10 issued in every county and applications shall be made
11 available at, but not limited to, nutrition sites, senior
12 citizen centers and Area Agencies on Aging. The applicant,
13 upon receipt of such card and prior to its use for any purpose,
14 shall have affixed thereon in the space provided therefor his
15 signature or mark.

16 (e) The Secretary of State, in his or her discretion, may
17 designate on each Illinois Identification Card or Illinois
18 Person with a Disability Identification Card a space where the
19 card holder may place a sticker or decal, issued by the
20 Secretary of State, of uniform size as the Secretary may
21 specify, that shall indicate in appropriate language that the
22 card holder has renewed his or her Illinois Identification
23 Card or Illinois Person with a Disability Identification Card.
24 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
25 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff.
26 7-1-17; 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

1 (15 ILCS 335/5) (from Ch. 124, par. 25)

2 Sec. 5. Applications.

3 (a) Any natural person who is a resident of the State of
4 Illinois may file an application for an identification card,
5 or for the renewal thereof, in a manner prescribed by the
6 Secretary. Each original application shall be completed by the
7 applicant in full and shall set forth the legal name,
8 residence address and zip code, social security number, birth
9 date, sex and a brief description of the applicant. The
10 applicant shall be photographed, unless the Secretary of State
11 has provided by rule for the issuance of identification cards
12 without photographs and the applicant is deemed eligible for
13 an identification card without a photograph under the terms
14 and conditions imposed by the Secretary of State, and he or she
15 shall also submit any other information as the Secretary may
16 deem necessary or such documentation as the Secretary may
17 require to determine the identity of the applicant. In
18 addition to the residence address, the Secretary may allow the
19 applicant to provide a mailing address. If the applicant is a
20 judicial officer as defined in Section 1-10 of the Judicial
21 Privacy Act, an official as defined in Section 5 of the Public
22 Safety and Justice Privacy Act, or a peace officer, the
23 applicant may elect to have his or her office or work address
24 in lieu of the applicant's residence or mailing address. An
25 applicant for an Illinois Person with a Disability

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

13 (a-5) Upon the first issuance of a request for proposals
14 for a digital driver's license and identification card
15 issuance and facial recognition system issued after January 1,
16 2020 (the effective date of Public Act 101-513) ~~this~~
17 ~~amendatory Act of the 101st General Assembly~~, and upon
18 implementation of a new or revised system procured pursuant to
19 that request for proposals, the Secretary shall permit
20 applicants to choose between "male", "female", or "non-binary"
21 when designating the applicant's sex on the identification
22 card application form. The sex designated by the applicant
23 shall be displayed on the identification card issued to the
24 applicant.

25 (b) Beginning on or before July 1, 2015, for each original
26 or renewal identification card application under this Act, the

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

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

1 shall notify the applicant that he or she must confirm status
2 as a veteran, or the identification card will be cancelled.

3 For purposes of this subsection (b):

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

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

10 (c) All applicants for REAL ID compliant standard Illinois
11 Identification Cards and Illinois Person with a Disability
12 Identification Cards shall provide proof of lawful status in
13 the United States as defined in 6 CFR 37.3, as amended.
14 Applicants who are unable to provide the Secretary with proof
15 of lawful status are ineligible for REAL ID compliant
16 identification cards under this Act.

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

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

22 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

23 Sec. 3-405. Application for registration.

24 (a) Every owner of a vehicle subject to registration under

1 this Code shall make application to the Secretary of State for
2 the registration of such vehicle upon the appropriate form or
3 forms furnished by the Secretary. Every such application shall
4 bear the signature of the owner written with pen and ink and
5 contain:

6 1. The name, domicile address, as defined in Section
7 1-115.5 of this Code, (except as otherwise provided in
8 this paragraph 1), mail address of the owner or business
9 address of the owner if a firm, association, or
10 corporation, and, if available, email address of the
11 owner. If the mailing address is a post office box number,
12 the address listed on the driver license record may be
13 used to verify residence. A police officer, a deputy
14 sheriff, an elected sheriff, a law enforcement officer for
15 the Department of State Police, a fire investigator, a
16 state's attorney, an assistant state's attorney, a state's
17 attorney special investigator, an official, or a judicial
18 officer may elect to furnish the address of the
19 headquarters of the governmental entity, police district,
20 or business address where he or she works instead of his or
21 her domicile address, in which case that address shall be
22 deemed to be his or her domicile address for all purposes
23 under this Chapter 3. The spouse and children of a person
24 who may elect under this paragraph 1 to furnish the
25 address of the headquarters of the government entity,
26 police district, or business address where the person

1 works instead of the person's domicile address may, if
2 they reside with that person, also elect to furnish the
3 address of the headquarters of the government entity,
4 police district, or business address where the person
5 works as their domicile address, in which case that
6 address shall be deemed to be their domicile address for
7 all purposes under this Chapter 3. In this paragraph 1:

8 (A) "police officer" has the meaning ascribed to
9 "policeman" in Section 10-3-1 of the Illinois Municipal
10 Code; (B) "deputy sheriff" means a deputy sheriff
11 appointed under Section 3-6008 of the Counties Code; (C)
12 "elected sheriff" means a sheriff commissioned pursuant to
13 Section 3-6001 of the Counties Code; (D) "fire
14 investigator" means a person classified as a peace officer
15 under the Peace Officer Fire Investigation Act; (E)
16 "state's attorney", "assistant state's attorney", and
17 "state's attorney special investigator" mean a state's
18 attorney, assistant state's attorney, and state's attorney
19 special investigator commissioned or appointed under
20 Division 3-9 of the Counties Code; ~~and~~ (F) "judicial
21 officer" has the meaning ascribed to it in Section 1-10 of
22 the Judicial Privacy Act; and (G) "official" has the
23 meaning ascribed to it in Section 5 of the Public Safety
24 and Justice Privacy Act.

25 2. A description of the vehicle, including such
26 information as is required in an application for a

1 certificate of title, determined under such standard
2 rating as may be prescribed by the Secretary.

3 3. (Blank).

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

8 5. An affirmation by the applicant that all
9 information set forth is true and correct. If the
10 application is for the registration of a motor vehicle,
11 the applicant also shall affirm that the motor vehicle is
12 insured as required by this Code, that such insurance will
13 be maintained throughout the period for which the motor
14 vehicle shall be registered, and that neither the owner,
15 nor any person operating the motor vehicle with the
16 owner's permission, shall operate the motor vehicle unless
17 the required insurance is in effect. If the person signing
18 the affirmation is not the sole owner of the vehicle, such
19 person shall be deemed to have affirmed on behalf of all
20 the owners of the vehicle. If the person signing the
21 affirmation is not an owner of the vehicle, such person
22 shall be deemed to have affirmed on behalf of the owner or
23 owners of the vehicle. The lack of signature on the
24 application shall not in any manner exempt the owner or
25 owners from any provisions, requirements or penalties of
26 this Code.

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

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

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

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

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

15 (b) Every application shall state the legal name, social
16 security number, zip code, date of birth, sex, and residence
17 address of the applicant; briefly describe the applicant;
18 state whether the applicant has theretofore been licensed as a
19 driver, and, if so, when and by what state or country, and
20 whether any such license has ever been cancelled, suspended,
21 revoked or refused, and, if so, the date and reason for such
22 cancellation, suspension, revocation or refusal; shall include
23 an affirmation by the applicant that all information set forth
24 is true and correct; and shall bear the applicant's signature.
25 In addition to the residence address, the Secretary may allow

1 the applicant to provide a mailing address. In the case of an
2 applicant who is a judicial officer, official, or peace
3 officer, the Secretary may allow the applicant to provide an
4 office or work address in lieu of a residence or mailing
5 address. The application form may also require the statement
6 of such additional relevant information as the Secretary of
7 State shall deem necessary to determine the applicant's
8 competency and eligibility. The Secretary of State may, in his
9 discretion, by rule or regulation, provide that an application
10 for a drivers license or permit may include a suitable
11 photograph of the applicant in the form prescribed by the
12 Secretary, and he may further provide that each drivers
13 license shall include a photograph of the driver. The
14 Secretary of State may utilize a photograph process or system
15 most suitable to deter alteration or improper reproduction of
16 a drivers license and to prevent substitution of another photo
17 thereon. For the purposes of this subsection (b) 7

18 "Official" has the meaning ascribed to it in Section 5 of
19 the Public Safety and Justice Privacy Act.

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

26 (b-3) Upon the first issuance of a request for proposals

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

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

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

24 (d) Any male United States citizen or immigrant who
25 applies for any permit or license authorized to be issued
26 under this Code or for a renewal of any permit or license, and

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

15 (e) Beginning on or before July 1, 2015, for each original
16 or renewal driver's license application under this Code, the
17 Secretary shall inquire as to whether the applicant is a
18 veteran for purposes of issuing a driver's license with a
19 veteran designation under subsection (e-5) of Section 6-110 of
20 this Code. The acceptable forms of proof shall include, but
21 are not limited to, Department of Defense form DD-214,
22 Department of Defense form DD-256 for applicants who did not
23 receive a form DD-214 upon the completion of initial basic
24 training, Department of Defense form DD-2 (Retired), an
25 identification card issued under the federal Veterans
26 Identification Card Act of 2015, or a United States Department

1 of Veterans Affairs summary of benefits letter. If the
2 document cannot be stamped, the Illinois Department of
3 Veterans' Affairs shall provide a certificate to the veteran
4 to provide to the Secretary of State. The Illinois Department
5 of Veterans' Affairs shall advise the Secretary as to what
6 other forms of proof of a person's status as a veteran are
7 acceptable.

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

21 For purposes of this subsection (e):

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

25 "Veteran" means a person who has served in the armed
26 forces and was discharged or separated under honorable

1 conditions.

2 (Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17;
3 100-811, eff. 1-1-19; 101-106, eff. 1-1-20; 101-287, eff.
4 8-9-19; 101-513, eff. 1-1-20; revised 8-24-20.)

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

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

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

12 Licenses issued shall also indicate the classification and
13 the restrictions under Section 6-104 of this Code. The
14 Secretary may adopt rules to establish informational
15 restrictions that can be placed on the driver's license
16 regarding specific conditions of the licensee.

17 A driver's license issued may, in the discretion of the
18 Secretary, include a suitable photograph of a type prescribed
19 by the Secretary.

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

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

25 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on

1 Sunday; and

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

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

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

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

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

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

14 (5) involved in an emergency;

15 (6) going to or returning home from, without any
16 detour or stop, an official school, religious, or other
17 recreational activity supervised by adults and sponsored
18 by a government or governmental agency, a civic
19 organization, or another similar entity that takes
20 responsibility for the licensee, without any detour or
21 stop;

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

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

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

6 (1) the program is sponsored by the Boy Scouts of
7 America or another national public service organization;
8 and

9 (2) the sponsoring organization carries liability
10 insurance covering the program.

11 (a-3) If a graduated driver's license holder over the age
12 of 18 committed an offense against traffic regulations
13 governing the movement of vehicles or any violation of Section
14 6-107 or Section 12-603.1 of this Code in the 6 months prior to
15 the graduated driver's license holder's 18th birthday, and was
16 subsequently convicted of the offense, the provisions of
17 subsection (a-1) shall continue to apply until such time as a
18 period of 6 consecutive months has elapsed without an
19 additional violation and subsequent conviction of an offense
20 against traffic regulations governing the movement of vehicles
21 or Section 6-107 or Section 12-603.1 of this Code.

22 (a-4) If an applicant for a driver's license or
23 instruction permit has a current identification card issued by
24 the Secretary of State, the Secretary may require the
25 applicant to utilize the same residence address and name on
26 the identification card, driver's license, and instruction

1 permit records maintained by the Secretary. The Secretary may
2 promulgate rules to implement this provision.

3 (a-5) If an applicant for a driver's license is a judicial
4 officer, an official, or a peace officer, the applicant may
5 elect to have his or her office or work address listed on the
6 license instead of the applicant's residence or mailing
7 address. The Secretary of State shall adopt rules to implement
8 this subsection (a-5). For the purposes of this subsection
9 (a-5):

10 "Official" has the meaning ascribed to it in Section 5 of
11 the Public Safety and Justice Privacy Act.

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

18 (b) Until the Secretary of State establishes a First
19 Person Consent organ and tissue donor registry under Section
20 6-117 of this Code, the Secretary of State shall provide a
21 format on the reverse of each driver's license issued which
22 the licensee may use to execute a document of gift conforming
23 to the provisions of the Illinois Anatomical Gift Act. The
24 format shall allow the licensee to indicate the gift intended,
25 whether specific organs, any organ, or the entire body, and
26 shall accommodate the signatures of the donor and 2 witnesses.

1 The Secretary shall also inform each applicant or licensee of
2 this format, describe the procedure for its execution, and may
3 offer the necessary witnesses; provided that in so doing, the
4 Secretary shall advise the applicant or licensee that he or
5 she is under no compulsion to execute a document of gift. A
6 brochure explaining this method of executing an anatomical
7 gift document shall be given to each applicant or licensee.
8 The brochure shall advise the applicant or licensee that he or
9 she is under no compulsion to execute a document of gift, and
10 that he or she may wish to consult with family, friends or
11 clergy before doing so. The Secretary of State may undertake
12 additional efforts, including education and awareness
13 activities, to promote organ and tissue donation.

14 (c) The Secretary of State shall designate on each
15 driver's license issued a space where the licensee may place a
16 sticker or decal of the uniform size as the Secretary may
17 specify, which sticker or decal may indicate in appropriate
18 language that the owner of the license carries an Emergency
19 Medical Information Card.

20 The sticker may be provided by any person, hospital,
21 school, medical group, or association interested in assisting
22 in implementing the Emergency Medical Information Card, but
23 shall meet the specifications as the Secretary may by rule or
24 regulation require.

25 (d) The Secretary of State shall designate on each
26 driver's license issued a space where the licensee may

1 indicate his blood type and RH factor.

2 (e) The Secretary of State shall provide that each
3 original or renewal driver's license issued to a licensee
4 under 21 years of age shall be of a distinct nature from those
5 driver's licenses issued to individuals 21 years of age and
6 older. The color designated for driver's licenses for
7 licensees under 21 years of age shall be at the discretion of
8 the Secretary of State.

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

13 (e-3) The General Assembly recognizes the need to identify
14 military veterans living in this State for the purpose of
15 ensuring that they receive all of the services and benefits to
16 which they are legally entitled, including healthcare,
17 education assistance, and job placement. To assist the State
18 in identifying these veterans and delivering these vital
19 services and benefits, the Secretary of State is authorized to
20 issue drivers' licenses with the word "veteran" appearing on
21 the face of the licenses. This authorization is predicated on
22 the unique status of veterans. The Secretary may not issue any
23 other driver's license which identifies an occupation, status,
24 affiliation, hobby, or other unique characteristics of the
25 license holder which is unrelated to the purpose of the
26 driver's license.

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

8 (f) The Secretary of State shall inform all Illinois
9 licensed commercial motor vehicle operators of the
10 requirements of the Uniform Commercial Driver License Act,
11 Article V of this Chapter, and shall make provisions to insure
12 that all drivers, seeking to obtain a commercial driver's
13 license, be afforded an opportunity prior to April 1, 1992, to
14 obtain the license. The Secretary is authorized to extend
15 driver's license expiration dates, and assign specific times,
16 dates and locations where these commercial driver's tests
17 shall be conducted. Any applicant, regardless of the current
18 expiration date of the applicant's driver's license, may be
19 subject to any assignment by the Secretary. Failure to comply
20 with the Secretary's assignment may result in the applicant's
21 forfeiture of an opportunity to receive a commercial driver's
22 license prior to April 1, 1992.

23 (g) The Secretary of State shall designate on a driver's
24 license issued, a space where the licensee may indicate that
25 he or she has drafted a living will in accordance with the
26 Illinois Living Will Act or a durable power of attorney for

1 health care in accordance with the Illinois Power of Attorney
2 Act.

3 (g-1) The Secretary of State, in his or her discretion,
4 may designate on each driver's license issued a space where
5 the licensee may place a sticker or decal, issued by the
6 Secretary of State, of uniform size as the Secretary may
7 specify, that shall indicate in appropriate language that the
8 owner of the license has renewed his or her driver's license.

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

13 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13;
14 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff.
15 1-1-14; 98-463, eff. 8-16-13.)

16 Section 999. Effective date. This Act takes effect upon
17 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