



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3472

Introduced 2/22/2021, by Rep. Suzanne Ness

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4

from Ch. 124, par. 24

625 ILCS 5/6-103.2 new

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Provides that the Secretary of State shall not issue a driver's license or identification card to a person who holds a driver's license identification card in another state. Provides that the Secretary may enter into an agreement with a private entity to enable the Secretary to verify the existence of or validity of an out-of-state driver's license or identification card and to request the other state to cancel the out-of-state license or identification card as part of the process of issuing an Illinois driver's license or identification card. Provides that the agreement shall use the State Pointer Exchange Services platform. Provides that, upon a finding that an applicant for a license or identification card in this State currently holds a license or other form of identification in another state, the Secretary of State shall send a request for license or identification card termination to the state in which the applicant holds a current license or identification card. Provides that the Secretary of State may apply for federal grants to offset the costs of the program. Provides that the Secretary shall adopt rules to implement the new provisions.

LRB102 15174 RAM 20529 b

FISCAL NOTE ACT
MAY APPLY

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 Section 4 as follows:

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

7 Sec. 4. Identification card.

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

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

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

13 (a-7) The Secretary shall not issue an identification card
14 to a person who holds an identification card in another state.
15 The Secretary may enter into an agreement with a private
16 entity to enable the Secretary to verify the existence of or
17 validity of an out-of-state identification card and to request
18 the other state to cancel the out-of-state identification card
19 as part of the process of issuing an Illinois identification
20 card. The agreement shall use the State Pointer Exchange
21 Services platform. Upon a finding that an applicant for an
22 identification card in this State currently holds an
23 identification card in another state, the Secretary shall send
24 a request for termination of the identification card to the
25 state in which the applicant holds a current identification
26 card.

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

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

1 service shall be refunded to the applicant.

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

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

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

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

19 (a-30) The Secretary of State shall issue a standard
20 Illinois Identification Card to a person upon conditional
21 release or absolute discharge from the custody of the
22 Department of Human Services, if the person presents a
23 certified copy of his or her birth certificate, social
24 security card, or other documents authorized by the Secretary,
25 and a document proving his or her Illinois residence address.
26 The Secretary of State shall issue a standard 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 may include any
6 official document of the Department of Human Services showing
7 the person's address after release and a Secretary of State
8 prescribed verification form, which may be executed by
9 personnel of the Department of Human Services.

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

1 person to a Secretary of State location with the required
2 documents. Documents proving residence address shall include
3 any official document of the Department of Human Services
4 showing the person's address after release and a Secretary of
5 State prescribed verification form, which may be executed by
6 personnel of the Department of Human Services.

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

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

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

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

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

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

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

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

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

21 (c-5) Beginning on or before July 1, 2015, the Secretary
22 of State shall designate a space on each original or renewal
23 identification card where, at the request of the applicant,
24 the word "veteran" shall be placed. The veteran designation
25 shall be available to a person identified as a veteran under
26 subsection (b) of Section 5 of this Act who was discharged or

1 separated under honorable conditions.

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

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

24 Section 10. The Illinois Vehicle Code is amended by adding
25 Section 6-103.2 as follows:

1 (625 ILCS 5/6-103.2 new)

2 Sec. 6-103.2. Simultaneous issuance of Illinois and other
3 state license prohibited.

4 (a) The Secretary of State shall not issue a driver's
5 license to a person who holds a driver's license in another
6 state.

7 (b) The Secretary may enter into an agreement with a
8 private entity to enable the Secretary to verify the existence
9 of or validity of an out-of-state driver's license and to
10 request the other state to cancel the out-of-state license as
11 part of the process of issuing an Illinois driver's license.
12 The agreement shall use the State Pointer Exchange Services
13 platform.

14 (c) Upon a finding that an applicant for a license in this
15 State currently holds a license or other form of
16 identification in another state, the Secretary of State shall
17 send a request for license termination to the state in which
18 the applicant holds a current license.

19 (d) The Secretary of State may obtain federal grants to
20 offset the costs of the program.

21 (e) The Secretary shall adopt rules to implement this
22 Section.