



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5307

Introduced 1/31/2022, by Rep. Cyril Nichols

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4

from Ch. 124, par. 24

730 ILCS 5/3-14-1

from Ch. 38, par. 1003-14-1

Amends the Illinois Identification Card Act and the Unified Code of Corrections. Provides that the Department of Corrections or Juvenile Justice shall provide information to the Secretary of State of persons in its custody who will be discharged no later than 45 days after the submission of the identifying information in the mittimus to the Secretary of State. Provides that the Secretary of State shall issue a standard Illinois Identification Card in the name of the committed person who is to be discharged before the committed person's date of discharge. Provides that upon discharge of the committed person, the Department shall furnish the person with the standard Illinois Identification Card. Provides that neither the Secretary of State nor the Department shall charge a fee to the committed person for issuance of the Card.

LRB102 25514 RLC 34803 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Identification Card Act is amended
5 by changing 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-10) If the applicant is a judicial officer as defined
14 in Section 1-10 of the Judicial Privacy Act or a peace officer,
15 the applicant may elect to have his or her office or work
16 address listed on the card instead of the applicant's
17 residence or mailing address. The Secretary may promulgate
18 rules to implement this provision. For the purposes of this
19 subsection (a-10), "peace officer" means any person who by
20 virtue of his or her office or public employment is vested by
21 law with a duty to maintain public order or to make arrests for
22 a violation of any penal statute of this State, whether that
23 duty extends to all violations or is limited to specific
24 violations.

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

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

14 (a-20) The Secretary of State shall issue a standard
15 Illinois Identification Card to a committed person upon
16 release on parole, mandatory supervised release, aftercare
17 release, final discharge, or pardon from the Department of
18 Corrections or Department of Juvenile Justice upon
19 transmission of documents issued by the respective Department
20 attesting to the identification of the committed person under
21 subsection (f) of Section 3-14-1 of the Unified Code of
22 Corrections. The standard Illinois Identification Card shall
23 be valid for the period of time specified in Section 8 and is
24 subject to renewal , ~~if the released person presents a~~
25 ~~certified copy of his or her birth certificate, social~~
26 ~~security card or other documents authorized by the Secretary,~~

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

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

1 ~~may be executed by Department of Corrections or Department of~~
2 ~~Juvenile Justice personnel.~~

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

10 (a-30) The Secretary of State shall issue a standard
11 Illinois Identification Card to a person upon conditional
12 release or absolute discharge from the custody of the
13 Department of Human Services, if the person presents a
14 certified copy of his or her birth certificate, social
15 security card, or other documents authorized by the Secretary,
16 and a document proving his or her Illinois residence address.
17 The Secretary of State shall issue a standard Illinois
18 Identification Card to a person prior to his or her
19 conditional release or absolute discharge if personnel from
20 the Department of Human Services bring the person to a
21 Secretary of State location with the required documents.
22 Documents proving residence address may include any official
23 document of the Department of Human Services showing the
24 person's address after release and a Secretary of State
25 prescribed verification form, which may be executed by
26 personnel of the Department of Human Services.

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

24 (b) The Secretary of State shall issue a special Illinois
25 Identification Card, which shall be known as an Illinois
26 Person with a Disability Identification Card, to any natural

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

1 presence of two witnesses who attest to the authenticity of
2 the mark. The Illinois Person with a Disability Identification
3 Card may be used for identification purposes in any lawful
4 situation by the person to whom it was issued.

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

26 An optometrist's determination of a visual disability

1 under Section 4A of this Act is acceptable as documentation
2 for the purpose of issuing an Illinois Person with a
3 Disability Identification Card.

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

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

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

23 (c-3) The General Assembly recognizes the need to identify
24 military veterans living in this State for the purpose of
25 ensuring that they receive all of the services and benefits to
26 which they are legally entitled, including healthcare,

1 education assistance, and job placement. To assist the State
2 in identifying these veterans and delivering these vital
3 services and benefits, the Secretary of State is authorized to
4 issue Illinois Identification Cards and Illinois Person with a
5 Disability Identification Cards with the word "veteran"
6 appearing on the face of the cards. This authorization is
7 predicated on the unique status of veterans. The Secretary may
8 not issue any other identification card which identifies an
9 occupation, status, affiliation, hobby, or other unique
10 characteristics of the identification card holder which is
11 unrelated to the purpose of the identification card.

12 (c-5) Beginning on or before July 1, 2015, the Secretary
13 of State shall designate a space on each original or renewal
14 identification card where, at the request of the applicant,
15 the word "veteran" shall be placed. The veteran designation
16 shall be available to a person identified as a veteran under
17 subsection (b) of Section 5 of this Act who was discharged or
18 separated under honorable conditions.

19 (d) The Secretary of State may issue a Senior Citizen
20 discount card, to any natural person who is a resident of the
21 State of Illinois who is 60 years of age or older and who
22 applies for such a card or renewal thereof. The Secretary of
23 State shall charge no fee to issue such card. The card shall be
24 issued in every county and applications shall be made
25 available at, but not limited to, nutrition sites, senior
26 citizen centers and Area Agencies on Aging. The applicant,

1 upon receipt of such card and prior to its use for any purpose,
2 shall have affixed thereon in the space provided therefor his
3 signature or mark.

4 (e) The Secretary of State, in his or her discretion, may
5 designate on each Illinois Identification Card or Illinois
6 Person with a Disability Identification Card a space where the
7 card holder may place a sticker or decal, issued by the
8 Secretary of State, of uniform size as the Secretary may
9 specify, that shall indicate in appropriate language that the
10 card holder has renewed his or her Illinois Identification
11 Card or Illinois Person with a Disability Identification Card.
12 (Source: P.A. 102-299, eff. 8-6-21.)

13 Section 10. The Unified Code of Corrections is amended by
14 changing Section 3-14-1 as follows:

15 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

16 Sec. 3-14-1. Release from the institution.

17 (a) Upon release of a person on parole, mandatory release,
18 final discharge, or pardon, the Department shall return all
19 property held for him, provide him with suitable clothing and
20 procure necessary transportation for him to his designated
21 place of residence and employment. It may provide such person
22 with a grant of money for travel and expenses which may be paid
23 in installments. The amount of the money grant shall be
24 determined by the Department.

1 (a-1) The Department shall, before a wrongfully imprisoned
2 person, as defined in Section 3-1-2 of this Code, is
3 discharged from the Department, provide him or her with any
4 documents necessary after discharge.

5 (a-2) The Department of Corrections may establish and
6 maintain, in any institution it administers, revolving funds
7 to be known as "Travel and Allowances Revolving Funds". These
8 revolving funds shall be used for advancing travel and expense
9 allowances to committed, paroled, and discharged prisoners.
10 The moneys paid into such revolving funds shall be from
11 appropriations to the Department for Committed, Paroled, and
12 Discharged Prisoners.

13 (a-3) Upon release of a person who is eligible to vote on
14 parole, mandatory release, final discharge, or pardon, the
15 Department shall provide the person with a form that informs
16 him or her that his or her voting rights have been restored and
17 a voter registration application. The Department shall have
18 available voter registration applications in the languages
19 provided by the Illinois State Board of Elections. The form
20 that informs the person that his or her rights have been
21 restored shall include the following information:

22 (1) All voting rights are restored upon release from
23 the Department's custody.

24 (2) A person who is eligible to vote must register in
25 order to be able to vote.

26 The Department of Corrections shall confirm that the

1 person received the voter registration application and has
2 been informed that his or her voting rights have been
3 restored.

4 (a-4) Prior to release of a person on parole, mandatory
5 supervised release, final discharge, or pardon, the Department
6 shall screen every person for Medicaid eligibility. Officials
7 of the correctional institution or facility where the
8 committed person is assigned shall assist an eligible person
9 to complete a Medicaid application to ensure that the person
10 begins receiving benefits as soon as possible after his or her
11 release. The application must include the eligible person's
12 address associated with his or her residence upon release from
13 the facility. If the residence is temporary, the eligible
14 person must notify the Department of Human Services of his or
15 her change in address upon transition to permanent housing.

16 (b) (Blank).

17 (c) Except as otherwise provided in this Code, the
18 Department shall establish procedures to provide written
19 notification of any release of any person who has been
20 convicted of a felony to the State's Attorney and sheriff of
21 the county from which the offender was committed, and the
22 State's Attorney and sheriff of the county into which the
23 offender is to be paroled or released. Except as otherwise
24 provided in this Code, the Department shall establish
25 procedures to provide written notification to the proper law
26 enforcement agency for any municipality of any release of any

1 person who has been convicted of a felony if the arrest of the
2 offender or the commission of the offense took place in the
3 municipality, if the offender is to be paroled or released
4 into the municipality, or if the offender resided in the
5 municipality at the time of the commission of the offense. If a
6 person convicted of a felony who is in the custody of the
7 Department of Corrections or on parole or mandatory supervised
8 release informs the Department that he or she has resided,
9 resides, or will reside at an address that is a housing
10 facility owned, managed, operated, or leased by a public
11 housing agency, the Department must send written notification
12 of that information to the public housing agency that owns,
13 manages, operates, or leases the housing facility. The written
14 notification shall, when possible, be given at least 14 days
15 before release of the person from custody, or as soon
16 thereafter as possible. The written notification shall be
17 provided electronically if the State's Attorney, sheriff,
18 proper law enforcement agency, or public housing agency has
19 provided the Department with an accurate and up to date email
20 address.

21 (c-1) (Blank).

22 (c-2) The Department shall establish procedures to provide
23 notice to the Illinois State Police of the release or
24 discharge of persons convicted of violations of the
25 Methamphetamine Control and Community Protection Act or a
26 violation of the Methamphetamine Precursor Control Act. The

1 Illinois State Police shall make this information available to
2 local, State, or federal law enforcement agencies upon
3 request.

4 (c-5) If a person on parole or mandatory supervised
5 release becomes a resident of a facility licensed or regulated
6 by the Department of Public Health, the Illinois Department of
7 Public Aid, or the Illinois Department of Human Services, the
8 Department of Corrections shall provide copies of the
9 following information to the appropriate licensing or
10 regulating Department and the licensed or regulated facility
11 where the person becomes a resident:

12 (1) The mittimus and any pre-sentence investigation
13 reports.

14 (2) The social evaluation prepared pursuant to Section
15 3-8-2.

16 (3) Any pre-release evaluation conducted pursuant to
17 subsection (j) of Section 3-6-2.

18 (4) Reports of disciplinary infractions and
19 dispositions.

20 (5) Any parole plan, including orders issued by the
21 Prisoner Review Board, and any violation reports and
22 dispositions.

23 (6) The name and contact information for the assigned
24 parole agent and parole supervisor.

25 This information shall be provided within 3 days of the
26 person becoming a resident of the facility.

1 (c-10) If a person on parole or mandatory supervised
2 release becomes a resident of a facility licensed or regulated
3 by the Department of Public Health, the Illinois Department of
4 Public Aid, or the Illinois Department of Human Services, the
5 Department of Corrections shall provide written notification
6 of such residence to the following:

7 (1) The Prisoner Review Board.

8 (2) The chief of police and sheriff in the
9 municipality and county in which the licensed facility is
10 located.

11 The notification shall be provided within 3 days of the
12 person becoming a resident of the facility.

13 (d) Upon the release of a committed person on parole,
14 mandatory supervised release, final discharge, or pardon, the
15 Department shall provide such person with information
16 concerning programs and services of the Illinois Department of
17 Public Health to ascertain whether such person has been
18 exposed to the human immunodeficiency virus (HIV) or any
19 identified causative agent of Acquired Immunodeficiency
20 Syndrome (AIDS).

21 (e) Upon the release of a committed person on parole,
22 mandatory supervised release, final discharge, pardon, or who
23 has been wrongfully imprisoned, the Department shall verify
24 the released person's full name, date of birth, and social
25 security number. If verification is made by the Department by
26 obtaining a certified copy of the released person's birth

1 certificate and the released person's social security card or
2 other documents authorized by the Secretary, the Department
3 shall provide the birth certificate and social security card
4 or other documents authorized by the Secretary to the released
5 person. If verification by the Department is done by means
6 other than obtaining a certified copy of the released person's
7 birth certificate and the released person's social security
8 card or other documents authorized by the Secretary, the
9 Department shall complete a verification form, prescribed by
10 the Secretary of State, and shall provide that verification
11 form to the released person.

12 (f) Forty-five days prior to the scheduled discharge of a
13 person committed to the custody of the Department of
14 Corrections, the Department shall give the person:

15 (1) who is otherwise uninsured an opportunity to apply
16 for health care coverage including medical assistance
17 under Article V of the Illinois Public Aid Code in
18 accordance with subsection (b) of Section 1-8.5 of the
19 Illinois Public Aid Code, and the Department of
20 Corrections shall provide assistance with completion of
21 the application for health care coverage including medical
22 assistance;

23 (2) information that the person shall receive a
24 standard Illinois Identification Card after discharge from
25 the custody of the Department at no charge. ~~about~~
26 ~~obtaining a standard Illinois Identification Card or a~~

1 ~~limited term Illinois Identification Card under Section 4~~
2 ~~of the Illinois Identification Card Act~~ The Department
3 shall provide information to the Secretary of State of
4 persons in its custody who will be discharged no later
5 than 45 days after the submission of the identifying
6 information in the mittimus to the Secretary of State. The
7 Secretary of State shall issue a standard Illinois
8 Identification Card in the name of the committed person
9 who is to be discharged before the committed person's date
10 of discharge. Upon discharge of the committed person, the
11 Department shall furnish the person with the standard
12 Illinois Identification Card. Neither the Secretary of
13 State nor the Department shall charge a fee to the
14 committed person for issuance of the Card;

15 (3) information about voter registration and may
16 distribute information prepared by the State Board of
17 Elections. The Department of Corrections may enter into an
18 interagency contract with the State Board of Elections to
19 participate in the automatic voter registration program
20 and be a designated automatic voter registration agency
21 under Section 1A-16.2 of the Election Code;

22 (4) information about job listings upon discharge from
23 the correctional institution or facility;

24 (5) information about available housing upon discharge
25 from the correctional institution or facility;

26 (6) a directory of elected State officials and of

1 officials elected in the county and municipality, if any,
2 in which the committed person intends to reside upon
3 discharge from the correctional institution or facility;
4 and

5 (7) any other information that the Department of
6 Corrections deems necessary to provide the committed
7 person in order for the committed person to reenter the
8 community and avoid recidivism.

9 The Department may adopt rules to implement this Section.

10 (Source: P.A. 101-351, eff. 1-1-20; 101-442, eff. 1-1-20;
11 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-606, eff.
12 1-1-22; revised 10-15-21.)