

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 11 as follows:

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

7 Sec. 11. Records.

8 (a) The Secretary may make a search of his records and  
9 furnish information as to whether a person has a current  
10 Standard Illinois Identification Card or an Illinois Person  
11 with a Disability Identification Card then on file, upon  
12 receipt of a written application therefor accompanied with the  
13 prescribed fee. However, the Secretary may not disclose  
14 medical information concerning an individual to any person,  
15 public agency, private agency, corporation or governmental  
16 body unless the individual has submitted a written request for  
17 the information or unless the individual has given prior  
18 written consent for the release of the information to a  
19 specific person or entity. This exception shall not apply to:  
20 (1) offices and employees of the Secretary who have a need to  
21 know the medical information in performance of their official  
22 duties, or (2) orders of a court of competent jurisdiction.  
23 When medical information is disclosed by the Secretary in

1 accordance with the provisions of this Section, no liability  
2 shall rest with the Office of the Secretary of State as the  
3 information is released for informational purposes only.

4 (b) Except as otherwise provided in this Section, the ~~The~~  
5 Secretary may release personally identifying information only  
6 to:

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

11 (2) other governmental agencies for use in their  
12 official governmental functions;

13 (3) law enforcement agencies for a criminal or civil  
14 investigation;

15 (3-5) the State Board of Elections as may be required  
16 by an agreement the State Board of Elections has entered  
17 into with a multi-state voter registration list  
18 maintenance system; or

19 (4) any entity that the Secretary has authorized, by  
20 rule.

21 (c) Except as otherwise provided in this Section, the ~~The~~  
22 Secretary may release highly restricted personal information  
23 only to:

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

1 investigation of fraud or misconduct;

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

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

7 (4) any other entity the Secretary has authorized by  
8 rule.

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

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

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

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

24 (4) other entities that the Secretary may authorize by  
25 rule.

26 (e) The Secretary may not disclose an individual's social

1 security number or any associated information obtained from  
2 the Social Security Administration without the written request  
3 or consent of the individual except: (i) to officers and  
4 employees of the Secretary who have a need to know the social  
5 security number in the performance of their official duties;  
6 (ii) to law enforcement officials for a civil or criminal law  
7 enforcement investigation if an officer of the law enforcement  
8 agency has made a written request to the Secretary specifying  
9 the law enforcement investigation for which the social  
10 security number is being sought; (iii) under a lawful court  
11 order signed by a judge; (iv) to the Illinois Department of  
12 Veterans' Affairs for the purpose of confirming veteran status  
13 to agencies in other states responsible for the issuance of  
14 state identification cards for participation in State-to-State  
15 verification service; or (v) the last 4 digits to the Illinois  
16 State Board of Elections for purposes of voter registration  
17 and as may be required pursuant to an agreement for a  
18 multi-state voter registration list maintenance system. The  
19 Secretary retains the right to require additional verification  
20 regarding the validity of a request from law enforcement. If  
21 social security information is disclosed by the Secretary in  
22 accordance with this Section, no liability shall rest with the  
23 Office of the Secretary of State or any of its officers or  
24 employees, as the information is released for official  
25 purposes only.

26 (f) The Secretary of State shall not provide facial

1 recognition search services or photographs obtained in the  
2 process of issuing an identification card to any federal,  
3 State, or local law enforcement agency or other governmental  
4 entity for the purpose of enforcing federal immigration laws.  
5 This subsection shall not apply to requests from federal,  
6 State, or local law enforcement agencies or other governmental  
7 entities for facial recognition search services or photographs  
8 obtained in the process of issuing a driver's license or  
9 permit when the purpose of the request relates to criminal  
10 activity other than violations of immigration laws.

11 (Source: P.A. 101-326, eff. 8-9-19.)

12 Section 10. The Illinois Vehicle Code is amended by  
13 changing Section 6-110.1 as follows:

14 (625 ILCS 5/6-110.1)

15 Sec. 6-110.1. Confidentiality of captured photographs or  
16 images.

17 (a) The Secretary of State shall maintain a file on or  
18 contract to file all photographs and signatures obtained in  
19 the process of issuing a driver's license, permit, or  
20 identification card. Except as otherwise provided in this  
21 Section, the ~~The~~ photographs and signatures shall be  
22 confidential and shall not be disclosed except to the  
23 following persons:

24 (1) the individual upon written request;

1           (2) officers and employees of the Secretary of State  
2           who have a need to have access to the stored images for  
3           purposes of issuing and controlling driver's licenses,  
4           permits, or identification cards and investigation of  
5           fraud or misconduct;

6           (3) law enforcement officials for a civil or criminal  
7           law enforcement investigation;

8           (3-5) the State Board of Elections for the sole  
9           purpose of providing the signatures required by a local  
10          election authority to register a voter through an online  
11          voter registration system;

12          (3-10) officers and employees of the Secretary of  
13          State who have a need to have access to the stored images  
14          for purposes of issuing and controlling notary public  
15          commissions and for the purpose of providing the  
16          signatures required to process online applications for  
17          appointment and commission as notaries public; or

18          (4) other entities that the Secretary may authorize by  
19          rule.

20          (b) The Secretary of State shall not provide facial  
21          recognition search services or photographs obtained in the  
22          process of issuing a driver's license or permit to any  
23          federal, State, or local law enforcement agency or other  
24          governmental entity for the purpose of enforcing federal  
25          immigration laws. This subsection shall not apply to requests  
26          from federal, State, or local law enforcement agencies or

1 other governmental entities for facial recognition search  
2 services or photographs obtained in the process of issuing a  
3 driver's license or permit when the purpose of the request  
4 relates to criminal activity other than violations of  
5 immigration laws.

6 (Source: P.A. 101-326, eff. 8-9-19.)

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