



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2903

Introduced 5/21/2021, by Sen. Michael E. Hastings

#### SYNOPSIS AS INTRODUCED:

|                       |                       |
|-----------------------|-----------------------|
| 15 ILCS 335/4         | from Ch. 124, par. 24 |
| 15 ILCS 335/12        | from Ch. 124, par. 32 |
| 730 ILCS 125/26.1 new |                       |

Amends the Illinois Identification Card Act. Provides that the Secretary of State shall issue a standard Illinois Identification Card to a committed person upon release from the county jail or County Department of Corrections, if the released person presents a certified copy of his or her birth certificate, social security card or other documents authorized by the Secretary, and 2 documents proving his or her Illinois residence address. Provides that the Secretary shall not charge a fee for the card. Amends the County Jail Act. Provides that upon the release of a prisoner or detainee from the County Department of Corrections or county jail, the County Department or sheriff may provide the person who has met the criteria established by the Department or sheriff with an identification card identifying the person as being released from the County Department of Corrections or county jail. Provides that the County Department or sheriff may require the prisoner or detainee to pay a \$1 fee for the identification card.

LRB102 18596 RLC 26917 b

1 AN ACT concerning identification.

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

4 Section 5. The Illinois Identification Card Act is amended  
5 by changing Sections 4 and 12 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 or to a prisoner  
19 or detainee upon release from the county jail or County  
20 Department of Corrections, if the released person presents a  
21 certified copy of his or her birth certificate, social  
22 security card or other documents authorized by the Secretary,  
23 and 2 documents proving his or her Illinois residence address.  
24 Documents proving residence address may include any official  
25 document of the Department of Corrections, ~~or~~ the Department  
26 of Juvenile Justice, County Department of Corrections, or

1 county jail showing the released person's address after  
2 release and a Secretary of State prescribed certificate of  
3 residency form, which may be executed by Department of  
4 Corrections, ~~or~~ Department of Juvenile Justice, County  
5 Department of Corrections, or county jail personnel.

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

1 address after release and a Secretary of State prescribed  
2 certificate of residency, which may be executed by Department  
3 of Corrections, or Department of Juvenile Justice, County  
4 Department of Corrections, or county jail personnel.

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

12 (a-30) The Secretary of State shall issue a standard  
13 Illinois Identification Card to a person upon conditional  
14 release or absolute discharge from the custody of the  
15 Department of Human Services, if the person presents a  
16 certified copy of his or her birth certificate, social  
17 security card, or other documents authorized by the Secretary,  
18 and a document proving his or her Illinois residence address.  
19 The Secretary of State shall issue a standard Illinois  
20 Identification Card to a person no sooner than 14 days prior to  
21 his or her conditional release or absolute discharge if  
22 personnel from the Department of Human Services bring the  
23 person to a Secretary of State location with the required  
24 documents. Documents proving residence address may include any  
25 official document of the Department of Human Services showing  
26 the person's address after release and a Secretary of State

1 prescribed verification form, which may be executed by  
2 personnel of the Department of Human Services.

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

26 (b) The Secretary of State shall issue a special Illinois

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



1 emergency medical care. If a mark is used in lieu of a  
2 signature, such mark shall be affixed to the card in the  
3 presence of two witnesses who attest to the authenticity of  
4 the mark. The Illinois Person with a Disability Identification  
5 Card may be used for identification purposes in any lawful  
6 situation by the person to whom it was issued.

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

1 so used.

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

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

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

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

25 (c-3) The General Assembly recognizes the need to identify  
26 military veterans living in this State for the purpose of

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

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

21 (d) The Secretary of State may issue a Senior Citizen  
22 discount card, to any natural person who is a resident of the  
23 State of Illinois who is 60 years of age or older and who  
24 applies for such a card or renewal thereof. The Secretary of  
25 State shall charge no fee to issue such card. The card shall be  
26 issued in every county and applications shall be made

1 available at, but not limited to, nutrition sites, senior  
 2 citizen centers and Area Agencies on Aging. The applicant,  
 3 upon receipt of such card and prior to its use for any purpose,  
 4 shall have affixed thereon in the space provided therefor his  
 5 signature or mark.

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

17 (15 ILCS 335/12) (from Ch. 124, par. 32)

18 Sec. 12. Fees concerning standard Illinois Identification  
 19 Cards. The fees required under this Act for standard Illinois  
 20 Identification Cards must accompany any application provided  
 21 for in this Act, and the Secretary shall collect such fees as  
 22 follows:

|    |                        |      |
|----|------------------------|------|
| 23 | a. Original card ..... | \$20 |
| 24 | b. Renewal card.....   | 20   |
| 25 | c. Corrected card..... | 10   |

|    |   |        |
|----|---|--------|
| 1  | d. Duplicate card.....                        | 20     |
| 2  | e. Certified copy with seal .....             | 5      |
| 3  | f. (Blank)                                    |        |
| 4  | g. Applicant 65 years of age or over .....    | No Fee |
| 5  | h. (Blank)                                    |        |
| 6  | i. Individual living in Veterans              |        |
| 7  | Home or Hospital .....                        | No Fee |
| 8  | j. Original card under 18 years of age .....  | \$5    |
| 9  | k. Renewal card under 18 years of age .....   | \$5    |
| 10 | l. Corrected card under 18 years of age ..... | \$5    |
| 11 | m. Duplicate card under 18 years of age ..... | \$5    |
| 12 | n. Homeless person .....                      | No Fee |
| 13 | o. Duplicate card issued to an active-duty    |        |
| 14 | member of the United States Armed Forces,     |        |
| 15 | the   |        |
| 16 | member's spouse, or dependent children        |        |
| 17 | living with the member .....                  | No Fee |
| 18 | p. Duplicate temporary card.....              | \$5    |
| 19 | q. First card issued to a youth               |        |
| 20 | for whom the Department of Children           |        |
| 21 | and Family Services is legally responsible    |        |
| 22 | or a foster child upon turning the age of     |        |
| 23 | 16 years old until he or she reaches          |        |
| 24 | the age of 21 years old .....                 | No Fee |
| 25 | r. Original card issued to a committed        |        |
| 26 | person upon release on parole,                |        |

1 mandatory supervised release,  
 2 aftercare release, final  
 3 discharge, or pardon from the  
 4 Department of Corrections or  
 5 Department of Juvenile  
 6 Justice or to a  
 7 prisoner or detainee  
 8 upon release from the  
 9 County Department of  
 10 Corrections or county  
 11 jail ..... No Fee

s. Limited-term Illinois Identification

13 Card issued to a committed person  
 14 upon release on parole, mandatory  
 15 supervised release, aftercare  
 16 release, final discharge, or pardon  
 17 from the Department of  
 18 Corrections or Department of  
 19 Juvenile Justice or to a  
 20 prisoner or  
 21 detainee upon release  
 22 from the County  
 23 Department of  
 24 Corrections or county  
 25 jail ..... No Fee

t. Original card issued to a

1 person up to 14 days prior  
 2 to or upon conditional release  
 3 or absolute discharge from  
 4 the Department of Human Services ..... No Fee

5 u. Limited-term Illinois Identification

6 Card issued to a person up to  
 7 14 days prior to or upon  
 8 conditional release or absolute discharge  
 9 from the Department of Human Services ..... No Fee

10 All fees collected under this Act shall be paid into the  
 11 Road Fund of the State treasury, except that the following  
 12 amounts shall be paid into the General Revenue Fund: (i) 80% of  
 13 the fee for an original, renewal, or duplicate Illinois  
 14 Identification Card issued on or after January 1, 2005; and  
 15 (ii) 80% of the fee for a corrected Illinois Identification  
 16 Card issued on or after January 1, 2005.

17 An individual, who resides in a veterans home or veterans  
 18 hospital operated by the State or federal government, who  
 19 makes an application for an Illinois Identification Card to be  
 20 issued at no fee, must submit, along with the application, an  
 21 affirmation by the applicant on a form provided by the  
 22 Secretary of State, that such person resides in a veterans  
 23 home or veterans hospital operated by the State or federal  
 24 government.

25 The application of a homeless individual for an Illinois  
 26 Identification Card to be issued at no fee must be accompanied

1 by an affirmation by a qualified person, as defined in Section  
2 4C of this Act, on a form provided by the Secretary of State,  
3 that the applicant is currently homeless as defined in Section  
4 1A of this Act.

5 For the application for the first Illinois Identification  
6 Card of a youth for whom the Department of Children and Family  
7 Services is legally responsible or a foster child to be issued  
8 at no fee, the youth must submit, along with the application,  
9 an affirmation by his or her court appointed attorney or an  
10 employee of the Department of Children and Family Services on  
11 a form provided by the Secretary of State, that the person is a  
12 youth for whom the Department of Children and Family Services  
13 is legally responsible or a foster child.

14 The fee for any duplicate identification card shall be  
15 waived for any person who presents the Secretary of State's  
16 Office with a police report showing that his or her  
17 identification card was stolen.

18 The fee for any duplicate identification card shall be  
19 waived for any person age 60 or older whose identification  
20 card has been lost or stolen.

21 As used in this Section, "active-duty member of the United  
22 States Armed Forces" means a member of the Armed Services or  
23 Reserve Forces of the United States or a member of the Illinois  
24 National Guard who is called to active duty pursuant to an  
25 executive order of the President of the United States, an act  
26 of the Congress of the United States, or an order of the



1 Governor.

2 (Source: P.A. 100-201, eff. 8-18-17; 100-717, eff. 7-1-19;  
3 100-827, eff. 8-13-18; 101-81, eff. 7-12-19; 101-232, eff.  
4 1-1-20.)

5 Section 10. The County Jail Act is amended by adding  
6 Section 26.1 as follows:

7 (730 ILCS 125/26.1 new)

8 Sec. 26.1. Prisoner or detainee; identification card. Upon  
9 the release of a prisoner or detainee from the County  
10 Department of Corrections or county jail, the County  
11 Department or sheriff may provide the person who has met the  
12 criteria established by the Department or sheriff with an  
13 identification card identifying the person as being released  
14 from the County Department of Corrections or county jail. The  
15 County Department or sheriff, in consultation with the Office  
16 of the Secretary of State, shall prescribe the form of the  
17 identification card, which may be similar to the form of the  
18 standard Illinois Identification Card. The County Department  
19 or sheriff shall inform the prisoner or detainee that he or she  
20 may present the identification card to the Office of the  
21 Secretary of State upon application for a standard Illinois  
22 Identification Card in accordance with the Illinois  
23 Identification Card Act. The County Department or sheriff may  
24 require the prisoner or detainee to pay a \$1 fee for the

1 identification card.