



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1435

Introduced 1/31/2023, by Rep. Chris Miller

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4

from Ch. 124, par. 24

Amends the Illinois Identification Card Act. Provides that the Secretary of State shall (previously may) provide by rule for the issuance of Illinois Person with a Disability Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph.

LRB103 26163 DTM 52521 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, if the released
19 person presents a certified copy of his or her birth
20 certificate, social security card or other documents
21 authorized by the Secretary, and 2 documents proving his or
22 her Illinois residence address. Documents proving residence
23 address may include any official document of the Department of
24 Corrections or the Department of Juvenile Justice showing the
25 released person's address after release and a Secretary of
26 State prescribed certificate of residency form, which may be

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

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

24 Prior to the expiration of the 90-day period of the
25 limited-term Illinois Identification Card, if the released
26 person submits to the Secretary of State a certified copy of

1 his or her birth certificate and his or her social security
2 card or other documents authorized by the Secretary, a
3 standard Illinois Identification Card shall be issued. A
4 limited-term Illinois Identification Card may not be renewed.

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

22 (a-35) The Secretary of State shall issue a limited-term
23 Illinois Identification Card valid for 90 days to a person
24 upon conditional release or absolute discharge from the
25 custody of the Department of Human Services, if the person is
26 unable to present a certified copy of his or her birth

1 certificate and social security card or other documents
2 authorized by the Secretary, but does present a Secretary of
3 State prescribed verification form completed by the Department
4 of Human Services, verifying the person's date of birth and
5 social security number, and a document 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. The
9 Secretary of State shall issue a limited-term Illinois
10 Identification Card to a person no sooner than 14 days prior to
11 his or her conditional release or absolute discharge if
12 personnel from the Department of Human Services bring the
13 person to a Secretary of State location with the required
14 documents. Documents proving residence address shall include
15 any official document of the Department of Human Services
16 showing the person's address after release and a Secretary of
17 State prescribed verification form, which may be executed by
18 personnel of the Department of Human Services.

19 (b) The Secretary of State shall issue a special Illinois
20 Identification Card, which shall be known as an Illinois
21 Person with a Disability Identification Card, to any natural
22 person who is a resident of the State of Illinois, who is a
23 person with a disability as defined in Section 4A of this Act,
24 who applies for such card, or renewal thereof. No Illinois
25 Person with a Disability Identification Card shall be issued
26 to any person who holds a valid foreign state identification

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

26 The Illinois Person with a Disability Identification Card

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

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

25 When medical information is contained on an Illinois
26 Person with a Disability Identification Card, the Office of

1 the Secretary of State shall not be liable for any actions
2 taken based upon that medical information.

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

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

18 (c-3) The General Assembly recognizes the need to identify
19 military veterans living in this State for the purpose of
20 ensuring that they receive all of the services and benefits to
21 which they are legally entitled, including healthcare,
22 education assistance, and job placement. To assist the State
23 in identifying these veterans and delivering these vital
24 services and benefits, the Secretary of State is authorized to
25 issue Illinois Identification Cards and Illinois Person with a
26 Disability Identification Cards with the word "veteran"

1 appearing on the face of the cards. This authorization is
2 predicated on the unique status of veterans. The Secretary may
3 not issue any other identification card which identifies an
4 occupation, status, affiliation, hobby, or other unique
5 characteristics of the identification card holder which is
6 unrelated to the purpose of the identification card.

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

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

25 (e) The Secretary of State, in his or her discretion, may
26 designate on each Illinois Identification Card or Illinois

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