



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2973

Introduced 2/16/2023, by Rep. Christopher "C.D" Davidsmeyer

SYNOPSIS AS INTRODUCED:

New Act

5 ILCS 140/7

10 ILCS 5/10-10.3 new

15 ILCS 335/4

from Ch. 124, par. 24

15 ILCS 335/5

from Ch. 124, par. 25

625 ILCS 5/3-405

from Ch. 95 1/2, par. 3-405

625 ILCS 5/6-106

from Ch. 95 1/2, par. 6-106

625 ILCS 5/6-110

from Ch. 95 1/2, par. 6-110

Creates the Public Safety and Justice Privacy Act. Defines terms. Provides that government agencies, persons, businesses, and associations shall not publicly post or display publicly available content that includes a law enforcement officer's, prosecutor's, public defender's, or probation officer's ("officials") personal information, provided that the government agency, person, business, or association has received a written request from the person that it refrain from disclosing the person's personal information. Provides injunctive or declaratory relief if the Act is violated. Includes procedures for a written request. Provides that it is a Class 3 felony for any person to knowingly publicly post on the Internet the personal information of an official or an official's immediate family under specified circumstances. Excludes criminal penalties for employees of government agencies who publish information in good faith during the ordinary course of carrying out public functions. Provides that the Act and any rules adopted to implement the Act shall be construed broadly to favor the protection of the personal information of officials. Amends various Acts and Codes allowing an official to list a business address rather than a home address and makes conforming changes. Effective immediately.

LRB103 28355 AWJ 54735 b

1 AN ACT concerning privacy.

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

4 Section 1. Short title. This Act may be cited as the Public
5 Safety and Justice Privacy Act.

6 Section 5. Definitions. As used in this Act:

7 "Assistant Public Defender" and "Assistant State's
8 Attorney" have the meanings given to those terms in Section 15
9 of the Public Interest Attorney Assistance Act.

10 "Government agency", "personal information", "publicly
11 available content", and "publicly post" or "publicly display"
12 have the meanings given to those terms in 1-10 of Judicial
13 Privacy Act.

14 "Home address" includes an official's permanent residence
15 and any secondary residences affirmatively identified by the
16 official, but does not include an official's work address.

17 "Immediate family" includes an official's spouse, child,
18 parent, or any blood relative of the official or the
19 official's spouse who lives in the same residence.

20 "Law enforcement officer" has the meaning given to that
21 term in Section 5 of the Law Enforcement Officer Bulletproof
22 Vest Act.

23 "Official" includes:

1 (1) Law enforcement officers.

2 (2) Prosecutors.

3 (3) Public defenders.

4 (4) Probation officers.

5 "Probation officer" has the meaning given to that term in
6 Section 9b of the Probation and Probation Officers Act.

7 "Prosecutor" means a State's Attorney, Assistant State's
8 Attorney, or a prosecutor for a unit of local government.

9 "Public defender" means a Public Defender or an Assistant
10 Public Defender.

11 "Written request" means written notice signed by an
12 official or a representative of the official's employer
13 requesting a government agency, person, business, or
14 association to refrain from posting or displaying publicly
15 available content that includes the official's personal
16 information.

17 Section 10. Publicly posting or displaying an official's
18 personal information by government agencies.

19 (a) Government agencies shall not publicly post or display
20 publicly available content that includes an official's
21 personal information, provided that the government agency has
22 received a written request in accordance with Section 20 that
23 it refrain from disclosing the official's personal
24 information. After a government agency has received a written
25 request, that agency shall remove the official's personal

1 information from publicly available content within 5 business
2 days. After the government agency has removed the official's
3 personal information from publicly available content, the
4 agency shall not publicly post or display the information and
5 the official's personal information shall be exempt from the
6 Freedom of Information Act unless the government agency has
7 received consent from the official to make the personal
8 information available to the public.

9 (b) If a government agency fails to comply with a written
10 request to refrain from disclosing personal information, the
11 official may bring an action in the circuit court seeking
12 injunctive or declaratory relief.

13 Section 15. Publicly posting an official's personal
14 information on the Internet by persons, businesses, and
15 associations.

16 (a) Prohibited Conduct.

17 (1) All persons, businesses, and associations shall
18 refrain from publicly posting or displaying on the
19 Internet publicly available content that includes an
20 official's personal information, provided that the
21 official has made a written request to the person,
22 business, or association that it refrain from disclosing
23 the personal information.

24 (2) No person, business, or association shall solicit,
25 sell, or trade on the Internet an official's personal

1 information with the intent to pose an imminent and
2 serious threat to the health and safety of the official or
3 the official's immediate family.

4 (3) This subsection includes, but is not limited to,
5 Internet phone directories, Internet search engines,
6 Internet data aggregators, and Internet service providers.

7 (b) Required Conduct.

8 (1) After a person, business, or association has
9 received a written request from an official to protect the
10 privacy of the officer's personal information, that
11 person, business, or association shall have 72 hours to
12 remove the personal information from the Internet.

13 (2) After a person, business, or association has
14 received a written request from an official, that person,
15 business, or association shall ensure that the official's
16 personal information is not made available on any website
17 or subsidiary website controlled by that person, business,
18 or association.

19 (3) After receiving an official's written request, no
20 person, business, or association shall transfer the
21 official's personal information to any other person,
22 business, or association through any medium.

23 (c) Redress. An official whose personal information is
24 made public as a result of a violation of this Section may
25 bring an action in the circuit court seeking injunctive or
26 declaratory relief. If the court grants injunctive or

1 declaratory relief, the person, business, or association
2 responsible for the violation shall be required to pay the
3 official's costs and reasonable attorney's fees.

4 Section 20. Procedure for completing a written request.

5 (a) No government agency, person, business, or association
6 shall be found to have violated any provision of this Act if
7 the official fails to submit a written request calling for the
8 protection of the officer's personal information.

9 (b) A written request is valid if:

10 (1) the official sends a written request directly to a
11 government agency, person, business, or association; or

12 (2) the Secretary of State creates a policy and
13 procedure for an official to file the written request with
14 the Secretary of State to notify government agencies, the
15 official may send the written request to the Secretary of
16 State as provided in the policy and procedure. In each
17 quarter of a calendar year, the Secretary of State shall
18 provide a list of all officials who have submitted a
19 written request to it to the appropriate officer with
20 ultimate supervisory authority for a government agency.
21 The officer shall promptly provide a copy of the list to
22 any and all government agencies under his or her
23 supervision. Receipt of the written request list compiled
24 by the Secretary of State by a government agency shall
25 constitute a written request to that agency for the

1 purposes of this Act.

2 (c) A representative from the official's employer may
3 submit a written request on the official's behalf, provided
4 that the official gives written consent to the representative
5 and provided that the representative agrees to furnish a copy
6 of that consent when a written request is made. The
7 representative shall submit the written request as provided in
8 subsection (b).

9 (d) An official's written request shall specify what
10 personal information shall be maintained private.

11 If an official wishes to identify a secondary residence as
12 a home address, the designation shall be made in the written
13 request.

14 An official shall disclose the identity of the officer's
15 immediate family and indicate that the personal information of
16 these family members shall also be excluded to the extent that
17 it could reasonably be expected to reveal the personal
18 information of the official.

19 (e) An official's written request is valid until the
20 official provides the government agency, person, business, or
21 association with written permission to release the private
22 information. An official's written request expires on death.

23 Section 25. Unlawful publication of personal information.

24 (a) It is unlawful for any person to knowingly publicly
25 post on the Internet the personal information of an official

1 or of the official's immediate family if the person knows or
2 reasonably should know that publicly posting the personal
3 information poses an imminent and serious threat to the health
4 and safety of the official or the official's immediate family
5 and the violation is a proximate cause of bodily injury or
6 death of the official or a member of the official's immediate
7 family. A person who violates this Section is guilty of a Class
8 3 felony.

9 (b) If an employee of a government agency has complied
10 with the provisions of this Act, it is not a violation of
11 subsection (a) if the employee publishes personal information,
12 in good faith, on the website of the government agency in the
13 ordinary course of carrying out public functions.

14 Section 30. Construction. This Act and any rules adopted
15 to implement this Act shall be construed broadly to favor the
16 protection of the personal information of officials.

17 Section 100. The Freedom of Information Act is amended by
18 changing Section 7 as follows:

19 (5 ILCS 140/7)

20 (Text of Section before amendment by P.A. 102-982)

21 Sec. 7. Exemptions.

22 (1) When a request is made to inspect or copy a public
23 record that contains information that is exempt from

1 disclosure under this Section, but also contains information
2 that is not exempt from disclosure, the public body may elect
3 to redact the information that is exempt. The public body
4 shall make the remaining information available for inspection
5 and copying. Subject to this requirement, the following shall
6 be exempt from inspection and copying:

7 (a) Information specifically prohibited from
8 disclosure by federal or State law or rules and
9 regulations implementing federal or State law.

10 (b) Private information, unless disclosure is required
11 by another provision of this Act, a State or federal law,
12 or a court order.

13 (b-5) Files, documents, and other data or databases
14 maintained by one or more law enforcement agencies and
15 specifically designed to provide information to one or
16 more law enforcement agencies regarding the physical or
17 mental status of one or more individual subjects.

18 (c) Personal information contained within public
19 records, the disclosure of which would constitute a
20 clearly unwarranted invasion of personal privacy, unless
21 the disclosure is consented to in writing by the
22 individual subjects of the information. "Unwarranted
23 invasion of personal privacy" means the disclosure of
24 information that is highly personal or objectionable to a
25 reasonable person and in which the subject's right to
26 privacy outweighs any legitimate public interest in

1 obtaining the information. The disclosure of information
2 that bears on the public duties of public employees and
3 officials shall not be considered an invasion of personal
4 privacy.

5 (d) Records in the possession of any public body
6 created in the course of administrative enforcement
7 proceedings, and any law enforcement or correctional
8 agency for law enforcement purposes, but only to the
9 extent that disclosure would:

10 (i) interfere with pending or actually and
11 reasonably contemplated law enforcement proceedings
12 conducted by any law enforcement or correctional
13 agency that is the recipient of the request;

14 (ii) interfere with active administrative
15 enforcement proceedings conducted by the public body
16 that is the recipient of the request;

17 (iii) create a substantial likelihood that a
18 person will be deprived of a fair trial or an impartial
19 hearing;

20 (iv) unavoidably disclose the identity of a
21 confidential source, confidential information
22 furnished only by the confidential source, or persons
23 who file complaints with or provide information to
24 administrative, investigative, law enforcement, or
25 penal agencies; except that the identities of
26 witnesses to traffic accidents, traffic accident

1 reports, and rescue reports shall be provided by
2 agencies of local government, except when disclosure
3 would interfere with an active criminal investigation
4 conducted by the agency that is the recipient of the
5 request;

6 (v) disclose unique or specialized investigative
7 techniques other than those generally used and known
8 or disclose internal documents of correctional
9 agencies related to detection, observation, or
10 investigation of incidents of crime or misconduct, and
11 disclosure would result in demonstrable harm to the
12 agency or public body that is the recipient of the
13 request;

14 (vi) endanger the life or physical safety of law
15 enforcement personnel or any other person; or

16 (vii) obstruct an ongoing criminal investigation
17 by the agency that is the recipient of the request.

18 (d-5) A law enforcement record created for law
19 enforcement purposes and contained in a shared electronic
20 record management system if the law enforcement agency
21 that is the recipient of the request did not create the
22 record, did not participate in or have a role in any of the
23 events which are the subject of the record, and only has
24 access to the record through the shared electronic record
25 management system.

26 (d-6) Records contained in the Officer Professional

1 Conduct Database under Section 9.2 of the Illinois Police
2 Training Act, except to the extent authorized under that
3 Section. This includes the documents supplied to the
4 Illinois Law Enforcement Training Standards Board from the
5 Illinois State Police and Illinois State Police Merit
6 Board.

7 (e) Records that relate to or affect the security of
8 correctional institutions and detention facilities.

9 (e-5) Records requested by persons committed to the
10 Department of Corrections, Department of Human Services
11 Division of Mental Health, or a county jail if those
12 materials are available in the library of the correctional
13 institution or facility or jail where the inmate is
14 confined.

15 (e-6) Records requested by persons committed to the
16 Department of Corrections, Department of Human Services
17 Division of Mental Health, or a county jail if those
18 materials include records from staff members' personnel
19 files, staff rosters, or other staffing assignment
20 information.

21 (e-7) Records requested by persons committed to the
22 Department of Corrections or Department of Human Services
23 Division of Mental Health if those materials are available
24 through an administrative request to the Department of
25 Corrections or Department of Human Services Division of
26 Mental Health.

1 (e-8) Records requested by a person committed to the
2 Department of Corrections, Department of Human Services
3 Division of Mental Health, or a county jail, the
4 disclosure of which would result in the risk of harm to any
5 person or the risk of an escape from a jail or correctional
6 institution or facility.

7 (e-9) Records requested by a person in a county jail
8 or committed to the Department of Corrections or
9 Department of Human Services Division of Mental Health,
10 containing personal information pertaining to the person's
11 victim or the victim's family, including, but not limited
12 to, a victim's home address, home telephone number, work
13 or school address, work telephone number, social security
14 number, or any other identifying information, except as
15 may be relevant to a requester's current or potential case
16 or claim.

17 (e-10) Law enforcement records of other persons
18 requested by a person committed to the Department of
19 Corrections, Department of Human Services Division of
20 Mental Health, or a county jail, including, but not
21 limited to, arrest and booking records, mug shots, and
22 crime scene photographs, except as these records may be
23 relevant to the requester's current or potential case or
24 claim.

25 (f) Preliminary drafts, notes, recommendations,
26 memoranda, and other records in which opinions are

1 expressed, or policies or actions are formulated, except
2 that a specific record or relevant portion of a record
3 shall not be exempt when the record is publicly cited and
4 identified by the head of the public body. The exemption
5 provided in this paragraph (f) extends to all those
6 records of officers and agencies of the General Assembly
7 that pertain to the preparation of legislative documents.

8 (g) Trade secrets and commercial or financial
9 information obtained from a person or business where the
10 trade secrets or commercial or financial information are
11 furnished under a claim that they are proprietary,
12 privileged, or confidential, and that disclosure of the
13 trade secrets or commercial or financial information would
14 cause competitive harm to the person or business, and only
15 insofar as the claim directly applies to the records
16 requested.

17 The information included under this exemption includes
18 all trade secrets and commercial or financial information
19 obtained by a public body, including a public pension
20 fund, from a private equity fund or a privately held
21 company within the investment portfolio of a private
22 equity fund as a result of either investing or evaluating
23 a potential investment of public funds in a private equity
24 fund. The exemption contained in this item does not apply
25 to the aggregate financial performance information of a
26 private equity fund, nor to the identity of the fund's

1 managers or general partners. The exemption contained in
2 this item does not apply to the identity of a privately
3 held company within the investment portfolio of a private
4 equity fund, unless the disclosure of the identity of a
5 privately held company may cause competitive harm.

6 Nothing contained in this paragraph (g) shall be
7 construed to prevent a person or business from consenting
8 to disclosure.

9 (h) Proposals and bids for any contract, grant, or
10 agreement, including information which if it were
11 disclosed would frustrate procurement or give an advantage
12 to any person proposing to enter into a contractor
13 agreement with the body, until an award or final selection
14 is made. Information prepared by or for the body in
15 preparation of a bid solicitation shall be exempt until an
16 award or final selection is made.

17 (i) Valuable formulae, computer geographic systems,
18 designs, drawings, and research data obtained or produced
19 by any public body when disclosure could reasonably be
20 expected to produce private gain or public loss. The
21 exemption for "computer geographic systems" provided in
22 this paragraph (i) does not extend to requests made by
23 news media as defined in Section 2 of this Act when the
24 requested information is not otherwise exempt and the only
25 purpose of the request is to access and disseminate
26 information regarding the health, safety, welfare, or

1 legal rights of the general public.

2 (j) The following information pertaining to
3 educational matters:

4 (i) test questions, scoring keys, and other
5 examination data used to administer an academic
6 examination;

7 (ii) information received by a primary or
8 secondary school, college, or university under its
9 procedures for the evaluation of faculty members by
10 their academic peers;

11 (iii) information concerning a school or
12 university's adjudication of student disciplinary
13 cases, but only to the extent that disclosure would
14 unavoidably reveal the identity of the student; and

15 (iv) course materials or research materials used
16 by faculty members.

17 (k) Architects' plans, engineers' technical
18 submissions, and other construction related technical
19 documents for projects not constructed or developed in
20 whole or in part with public funds and the same for
21 projects constructed or developed with public funds,
22 including, but not limited to, power generating and
23 distribution stations and other transmission and
24 distribution facilities, water treatment facilities,
25 airport facilities, sport stadiums, convention centers,
26 and all government owned, operated, or occupied buildings,

1 but only to the extent that disclosure would compromise
2 security.

3 (l) Minutes of meetings of public bodies closed to the
4 public as provided in the Open Meetings Act until the
5 public body makes the minutes available to the public
6 under Section 2.06 of the Open Meetings Act.

7 (m) Communications between a public body and an
8 attorney or auditor representing the public body that
9 would not be subject to discovery in litigation, and
10 materials prepared or compiled by or for a public body in
11 anticipation of a criminal, civil, or administrative
12 proceeding upon the request of an attorney advising the
13 public body, and materials prepared or compiled with
14 respect to internal audits of public bodies.

15 (n) Records relating to a public body's adjudication
16 of employee grievances or disciplinary cases; however,
17 this exemption shall not extend to the final outcome of
18 cases in which discipline is imposed.

19 (o) Administrative or technical information associated
20 with automated data processing operations, including, but
21 not limited to, software, operating protocols, computer
22 program abstracts, file layouts, source listings, object
23 modules, load modules, user guides, documentation
24 pertaining to all logical and physical design of
25 computerized systems, employee manuals, and any other
26 information that, if disclosed, would jeopardize the

1 security of the system or its data or the security of
2 materials exempt under this Section.

3 (p) Records relating to collective negotiating matters
4 between public bodies and their employees or
5 representatives, except that any final contract or
6 agreement shall be subject to inspection and copying.

7 (q) Test questions, scoring keys, and other
8 examination data used to determine the qualifications of
9 an applicant for a license or employment.

10 (r) The records, documents, and information relating
11 to real estate purchase negotiations until those
12 negotiations have been completed or otherwise terminated.
13 With regard to a parcel involved in a pending or actually
14 and reasonably contemplated eminent domain proceeding
15 under the Eminent Domain Act, records, documents, and
16 information relating to that parcel shall be exempt except
17 as may be allowed under discovery rules adopted by the
18 Illinois Supreme Court. The records, documents, and
19 information relating to a real estate sale shall be exempt
20 until a sale is consummated.

21 (s) Any and all proprietary information and records
22 related to the operation of an intergovernmental risk
23 management association or self-insurance pool or jointly
24 self-administered health and accident cooperative or pool.
25 Insurance or self-insurance ~~self-insurance~~ (including any
26 intergovernmental risk management association or

1 self-insurance ~~self-insurance~~ pool) claims, loss or risk
2 management information, records, data, advice, or
3 communications.

4 (t) Information contained in or related to
5 examination, operating, or condition reports prepared by,
6 on behalf of, or for the use of a public body responsible
7 for the regulation or supervision of financial
8 institutions, insurance companies, or pharmacy benefit
9 managers, unless disclosure is otherwise required by State
10 law.

11 (u) Information that would disclose or might lead to
12 the disclosure of secret or confidential information,
13 codes, algorithms, programs, or private keys intended to
14 be used to create electronic signatures under the Uniform
15 Electronic Transactions Act.

16 (v) Vulnerability assessments, security measures, and
17 response policies or plans that are designed to identify,
18 prevent, or respond to potential attacks upon a
19 community's population or systems, facilities, or
20 installations, but only to the extent that disclosure
21 could reasonably be expected to expose the vulnerability
22 or jeopardize the effectiveness of the measures, policies,
23 or plans, or the safety of the personnel who implement
24 them or the public. Information exempt under this item may
25 include such things as details pertaining to the
26 mobilization or deployment of personnel or equipment, to

1 the operation of communication systems or protocols, to
2 cybersecurity vulnerabilities, or to tactical operations.

3 (w) (Blank).

4 (x) Maps and other records regarding the location or
5 security of generation, transmission, distribution,
6 storage, gathering, treatment, or switching facilities
7 owned by a utility, by a power generator, or by the
8 Illinois Power Agency.

9 (y) Information contained in or related to proposals,
10 bids, or negotiations related to electric power
11 procurement under Section 1-75 of the Illinois Power
12 Agency Act and Section 16-111.5 of the Public Utilities
13 Act that is determined to be confidential and proprietary
14 by the Illinois Power Agency or by the Illinois Commerce
15 Commission.

16 (z) Information about students exempted from
17 disclosure under Section ~~Sections~~ 10-20.38 or 34-18.29 of
18 the School Code, and information about undergraduate
19 students enrolled at an institution of higher education
20 exempted from disclosure under Section 25 of the Illinois
21 Credit Card Marketing Act of 2009.

22 (aa) Information the disclosure of which is exempted
23 under the Viatical Settlements Act of 2009.

24 (bb) Records and information provided to a mortality
25 review team and records maintained by a mortality review
26 team appointed under the Department of Juvenile Justice

1 Mortality Review Team Act.

2 (cc) Information regarding interments, entombments, or
3 inurnments of human remains that are submitted to the
4 Cemetery Oversight Database under the Cemetery Care Act or
5 the Cemetery Oversight Act, whichever is applicable.

6 (dd) Correspondence and records (i) that may not be
7 disclosed under Section 11-9 of the Illinois Public Aid
8 Code or (ii) that pertain to appeals under Section 11-8 of
9 the Illinois Public Aid Code.

10 (ee) The names, addresses, or other personal
11 information of persons who are minors and are also
12 participants and registrants in programs of park
13 districts, forest preserve districts, conservation
14 districts, recreation agencies, and special recreation
15 associations.

16 (ff) The names, addresses, or other personal
17 information of participants and registrants in programs of
18 park districts, forest preserve districts, conservation
19 districts, recreation agencies, and special recreation
20 associations where such programs are targeted primarily to
21 minors.

22 (gg) Confidential information described in Section
23 1-100 of the Illinois Independent Tax Tribunal Act of
24 2012.

25 (hh) The report submitted to the State Board of
26 Education by the School Security and Standards Task Force

1 under item (8) of subsection (d) of Section 2-3.160 of the
2 School Code and any information contained in that report.

3 (ii) Records requested by persons committed to or
4 detained by the Department of Human Services under the
5 Sexually Violent Persons Commitment Act or committed to
6 the Department of Corrections under the Sexually Dangerous
7 Persons Act if those materials: (i) are available in the
8 library of the facility where the individual is confined;
9 (ii) include records from staff members' personnel files,
10 staff rosters, or other staffing assignment information;
11 or (iii) are available through an administrative request
12 to the Department of Human Services or the Department of
13 Corrections.

14 (jj) Confidential information described in Section
15 5-535 of the Civil Administrative Code of Illinois.

16 (kk) The public body's credit card numbers, debit card
17 numbers, bank account numbers, Federal Employer
18 Identification Number, security code numbers, passwords,
19 and similar account information, the disclosure of which
20 could result in identity theft or impersonation or defrauding
21 of a governmental entity or a person.

22 (ll) Records concerning the work of the threat
23 assessment team of a school district, including, but not
24 limited to, any threat assessment procedure under the
25 School Safety Drill Act and any information contained in
26 the procedure.

1 (mm) Information prohibited from being disclosed under
2 subsections (a) and (b) of Section 15 of the Student
3 Confidential Reporting Act.

4 (nn) ~~(mm)~~ Proprietary information submitted to the
5 Environmental Protection Agency under the Drug Take-Back
6 Act.

7 (oo) ~~(mm)~~ Records described in subsection (f) of
8 Section 3-5-1 of the Unified Code of Corrections.

9 (1.5) Any information exempt from disclosure under the
10 Judicial Privacy Act and the Public Safety and Justice Privacy
11 Act shall be redacted from public records prior to disclosure
12 under this Act.

13 (2) A public record that is not in the possession of a
14 public body but is in the possession of a party with whom the
15 agency has contracted to perform a governmental function on
16 behalf of the public body, and that directly relates to the
17 governmental function and is not otherwise exempt under this
18 Act, shall be considered a public record of the public body,
19 for purposes of this Act.

20 (3) This Section does not authorize withholding of
21 information or limit the availability of records to the
22 public, except as stated in this Section or otherwise provided
23 in this Act.

24 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
25 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
26 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752,

1 eff. 5-6-22; 102-753, eff. 1-1-23; 102-776, eff. 1-1-23;
2 102-791, eff. 5-13-22; 102-1055, eff. 6-10-22; revised
3 12-13-22.)

4 (Text of Section after amendment by P.A. 102-982)

5 Sec. 7. Exemptions.

6 (1) When a request is made to inspect or copy a public
7 record that contains information that is exempt from
8 disclosure under this Section, but also contains information
9 that is not exempt from disclosure, the public body may elect
10 to redact the information that is exempt. The public body
11 shall make the remaining information available for inspection
12 and copying. Subject to this requirement, the following shall
13 be exempt from inspection and copying:

14 (a) Information specifically prohibited from
15 disclosure by federal or State law or rules and
16 regulations implementing federal or State law.

17 (b) Private information, unless disclosure is required
18 by another provision of this Act, a State or federal law,
19 or a court order.

20 (b-5) Files, documents, and other data or databases
21 maintained by one or more law enforcement agencies and
22 specifically designed to provide information to one or
23 more law enforcement agencies regarding the physical or
24 mental status of one or more individual subjects.

25 (c) Personal information contained within public

1 records, the disclosure of which would constitute a
2 clearly unwarranted invasion of personal privacy, unless
3 the disclosure is consented to in writing by the
4 individual subjects of the information. "Unwarranted
5 invasion of personal privacy" means the disclosure of
6 information that is highly personal or objectionable to a
7 reasonable person and in which the subject's right to
8 privacy outweighs any legitimate public interest in
9 obtaining the information. The disclosure of information
10 that bears on the public duties of public employees and
11 officials shall not be considered an invasion of personal
12 privacy.

13 (d) Records in the possession of any public body
14 created in the course of administrative enforcement
15 proceedings, and any law enforcement or correctional
16 agency for law enforcement purposes, but only to the
17 extent that disclosure would:

18 (i) interfere with pending or actually and
19 reasonably contemplated law enforcement proceedings
20 conducted by any law enforcement or correctional
21 agency that is the recipient of the request;

22 (ii) interfere with active administrative
23 enforcement proceedings conducted by the public body
24 that is the recipient of the request;

25 (iii) create a substantial likelihood that a
26 person will be deprived of a fair trial or an impartial

1 hearing;

2 (iv) unavoidably disclose the identity of a
3 confidential source, confidential information
4 furnished only by the confidential source, or persons
5 who file complaints with or provide information to
6 administrative, investigative, law enforcement, or
7 penal agencies; except that the identities of
8 witnesses to traffic crashes, traffic crash reports,
9 and rescue reports shall be provided by agencies of
10 local government, except when disclosure would
11 interfere with an active criminal investigation
12 conducted by the agency that is the recipient of the
13 request;

14 (v) disclose unique or specialized investigative
15 techniques other than those generally used and known
16 or disclose internal documents of correctional
17 agencies related to detection, observation, or
18 investigation of incidents of crime or misconduct, and
19 disclosure would result in demonstrable harm to the
20 agency or public body that is the recipient of the
21 request;

22 (vi) endanger the life or physical safety of law
23 enforcement personnel or any other person; or

24 (vii) obstruct an ongoing criminal investigation
25 by the agency that is the recipient of the request.

26 (d-5) A law enforcement record created for law

1 enforcement purposes and contained in a shared electronic
2 record management system if the law enforcement agency
3 that is the recipient of the request did not create the
4 record, did not participate in or have a role in any of the
5 events which are the subject of the record, and only has
6 access to the record through the shared electronic record
7 management system.

8 (d-6) Records contained in the Officer Professional
9 Conduct Database under Section 9.2 of the Illinois Police
10 Training Act, except to the extent authorized under that
11 Section. This includes the documents supplied to the
12 Illinois Law Enforcement Training Standards Board from the
13 Illinois State Police and Illinois State Police Merit
14 Board.

15 (e) Records that relate to or affect the security of
16 correctional institutions and detention facilities.

17 (e-5) Records requested by persons committed to the
18 Department of Corrections, Department of Human Services
19 Division of Mental Health, or a county jail if those
20 materials are available in the library of the correctional
21 institution or facility or jail where the inmate is
22 confined.

23 (e-6) Records requested by persons committed to the
24 Department of Corrections, Department of Human Services
25 Division of Mental Health, or a county jail if those
26 materials include records from staff members' personnel

1 files, staff rosters, or other staffing assignment
2 information.

3 (e-7) Records requested by persons committed to the
4 Department of Corrections or Department of Human Services
5 Division of Mental Health if those materials are available
6 through an administrative request to the Department of
7 Corrections or Department of Human Services Division of
8 Mental Health.

9 (e-8) Records requested by a person committed to the
10 Department of Corrections, Department of Human Services
11 Division of Mental Health, or a county jail, the
12 disclosure of which would result in the risk of harm to any
13 person or the risk of an escape from a jail or correctional
14 institution or facility.

15 (e-9) Records requested by a person in a county jail
16 or committed to the Department of Corrections or
17 Department of Human Services Division of Mental Health,
18 containing personal information pertaining to the person's
19 victim or the victim's family, including, but not limited
20 to, a victim's home address, home telephone number, work
21 or school address, work telephone number, social security
22 number, or any other identifying information, except as
23 may be relevant to a requester's current or potential case
24 or claim.

25 (e-10) Law enforcement records of other persons
26 requested by a person committed to the Department of

1 Corrections, Department of Human Services Division of
2 Mental Health, or a county jail, including, but not
3 limited to, arrest and booking records, mug shots, and
4 crime scene photographs, except as these records may be
5 relevant to the requester's current or potential case or
6 claim.

7 (f) Preliminary drafts, notes, recommendations,
8 memoranda, and other records in which opinions are
9 expressed, or policies or actions are formulated, except
10 that a specific record or relevant portion of a record
11 shall not be exempt when the record is publicly cited and
12 identified by the head of the public body. The exemption
13 provided in this paragraph (f) extends to all those
14 records of officers and agencies of the General Assembly
15 that pertain to the preparation of legislative documents.

16 (g) Trade secrets and commercial or financial
17 information obtained from a person or business where the
18 trade secrets or commercial or financial information are
19 furnished under a claim that they are proprietary,
20 privileged, or confidential, and that disclosure of the
21 trade secrets or commercial or financial information would
22 cause competitive harm to the person or business, and only
23 insofar as the claim directly applies to the records
24 requested.

25 The information included under this exemption includes
26 all trade secrets and commercial or financial information

1 obtained by a public body, including a public pension
2 fund, from a private equity fund or a privately held
3 company within the investment portfolio of a private
4 equity fund as a result of either investing or evaluating
5 a potential investment of public funds in a private equity
6 fund. The exemption contained in this item does not apply
7 to the aggregate financial performance information of a
8 private equity fund, nor to the identity of the fund's
9 managers or general partners. The exemption contained in
10 this item does not apply to the identity of a privately
11 held company within the investment portfolio of a private
12 equity fund, unless the disclosure of the identity of a
13 privately held company may cause competitive harm.

14 Nothing contained in this paragraph (g) shall be
15 construed to prevent a person or business from consenting
16 to disclosure.

17 (h) Proposals and bids for any contract, grant, or
18 agreement, including information which if it were
19 disclosed would frustrate procurement or give an advantage
20 to any person proposing to enter into a contractor
21 agreement with the body, until an award or final selection
22 is made. Information prepared by or for the body in
23 preparation of a bid solicitation shall be exempt until an
24 award or final selection is made.

25 (i) Valuable formulae, computer geographic systems,
26 designs, drawings, and research data obtained or produced

1 by any public body when disclosure could reasonably be
2 expected to produce private gain or public loss. The
3 exemption for "computer geographic systems" provided in
4 this paragraph (i) does not extend to requests made by
5 news media as defined in Section 2 of this Act when the
6 requested information is not otherwise exempt and the only
7 purpose of the request is to access and disseminate
8 information regarding the health, safety, welfare, or
9 legal rights of the general public.

10 (j) The following information pertaining to
11 educational matters:

12 (i) test questions, scoring keys, and other
13 examination data used to administer an academic
14 examination;

15 (ii) information received by a primary or
16 secondary school, college, or university under its
17 procedures for the evaluation of faculty members by
18 their academic peers;

19 (iii) information concerning a school or
20 university's adjudication of student disciplinary
21 cases, but only to the extent that disclosure would
22 unavoidably reveal the identity of the student; and

23 (iv) course materials or research materials used
24 by faculty members.

25 (k) Architects' plans, engineers' technical
26 submissions, and other construction related technical

1 documents for projects not constructed or developed in
2 whole or in part with public funds and the same for
3 projects constructed or developed with public funds,
4 including, but not limited to, power generating and
5 distribution stations and other transmission and
6 distribution facilities, water treatment facilities,
7 airport facilities, sport stadiums, convention centers,
8 and all government owned, operated, or occupied buildings,
9 but only to the extent that disclosure would compromise
10 security.

11 (l) Minutes of meetings of public bodies closed to the
12 public as provided in the Open Meetings Act until the
13 public body makes the minutes available to the public
14 under Section 2.06 of the Open Meetings Act.

15 (m) Communications between a public body and an
16 attorney or auditor representing the public body that
17 would not be subject to discovery in litigation, and
18 materials prepared or compiled by or for a public body in
19 anticipation of a criminal, civil, or administrative
20 proceeding upon the request of an attorney advising the
21 public body, and materials prepared or compiled with
22 respect to internal audits of public bodies.

23 (n) Records relating to a public body's adjudication
24 of employee grievances or disciplinary cases; however,
25 this exemption shall not extend to the final outcome of
26 cases in which discipline is imposed.

1 (o) Administrative or technical information associated
2 with automated data processing operations, including, but
3 not limited to, software, operating protocols, computer
4 program abstracts, file layouts, source listings, object
5 modules, load modules, user guides, documentation
6 pertaining to all logical and physical design of
7 computerized systems, employee manuals, and any other
8 information that, if disclosed, would jeopardize the
9 security of the system or its data or the security of
10 materials exempt under this Section.

11 (p) Records relating to collective negotiating matters
12 between public bodies and their employees or
13 representatives, except that any final contract or
14 agreement shall be subject to inspection and copying.

15 (q) Test questions, scoring keys, and other
16 examination data used to determine the qualifications of
17 an applicant for a license or employment.

18 (r) The records, documents, and information relating
19 to real estate purchase negotiations until those
20 negotiations have been completed or otherwise terminated.
21 With regard to a parcel involved in a pending or actually
22 and reasonably contemplated eminent domain proceeding
23 under the Eminent Domain Act, records, documents, and
24 information relating to that parcel shall be exempt except
25 as may be allowed under discovery rules adopted by the
26 Illinois Supreme Court. The records, documents, and

1 information relating to a real estate sale shall be exempt
2 until a sale is consummated.

3 (s) Any and all proprietary information and records
4 related to the operation of an intergovernmental risk
5 management association or self-insurance pool or jointly
6 self-administered health and accident cooperative or pool.
7 Insurance or self-insurance ~~self-insurance~~ (including any
8 intergovernmental risk management association or
9 self-insurance ~~self-insurance~~ pool) claims, loss or risk
10 management information, records, data, advice, or
11 communications.

12 (t) Information contained in or related to
13 examination, operating, or condition reports prepared by,
14 on behalf of, or for the use of a public body responsible
15 for the regulation or supervision of financial
16 institutions, insurance companies, or pharmacy benefit
17 managers, unless disclosure is otherwise required by State
18 law.

19 (u) Information that would disclose or might lead to
20 the disclosure of secret or confidential information,
21 codes, algorithms, programs, or private keys intended to
22 be used to create electronic signatures under the Uniform
23 Electronic Transactions Act.

24 (v) Vulnerability assessments, security measures, and
25 response policies or plans that are designed to identify,
26 prevent, or respond to potential attacks upon a

1 community's population or systems, facilities, or
2 installations, but only to the extent that disclosure
3 could reasonably be expected to expose the vulnerability
4 or jeopardize the effectiveness of the measures, policies,
5 or plans, or the safety of the personnel who implement
6 them or the public. Information exempt under this item may
7 include such things as details pertaining to the
8 mobilization or deployment of personnel or equipment, to
9 the operation of communication systems or protocols, to
10 cybersecurity vulnerabilities, or to tactical operations.

11 (w) (Blank).

12 (x) Maps and other records regarding the location or
13 security of generation, transmission, distribution,
14 storage, gathering, treatment, or switching facilities
15 owned by a utility, by a power generator, or by the
16 Illinois Power Agency.

17 (y) Information contained in or related to proposals,
18 bids, or negotiations related to electric power
19 procurement under Section 1-75 of the Illinois Power
20 Agency Act and Section 16-111.5 of the Public Utilities
21 Act that is determined to be confidential and proprietary
22 by the Illinois Power Agency or by the Illinois Commerce
23 Commission.

24 (z) Information about students exempted from
25 disclosure under Section ~~Sections~~ 10-20.38 or 34-18.29 of
26 the School Code, and information about undergraduate

1 students enrolled at an institution of higher education
2 exempted from disclosure under Section 25 of the Illinois
3 Credit Card Marketing Act of 2009.

4 (aa) Information the disclosure of which is exempted
5 under the Viatical Settlements Act of 2009.

6 (bb) Records and information provided to a mortality
7 review team and records maintained by a mortality review
8 team appointed under the Department of Juvenile Justice
9 Mortality Review Team Act.

10 (cc) Information regarding interments, entombments, or
11 inurnments of human remains that are submitted to the
12 Cemetery Oversight Database under the Cemetery Care Act or
13 the Cemetery Oversight Act, whichever is applicable.

14 (dd) Correspondence and records (i) that may not be
15 disclosed under Section 11-9 of the Illinois Public Aid
16 Code or (ii) that pertain to appeals under Section 11-8 of
17 the Illinois Public Aid Code.

18 (ee) The names, addresses, or other personal
19 information of persons who are minors and are also
20 participants and registrants in programs of park
21 districts, forest preserve districts, conservation
22 districts, recreation agencies, and special recreation
23 associations.

24 (ff) The names, addresses, or other personal
25 information of participants and registrants in programs of
26 park districts, forest preserve districts, conservation

1 districts, recreation agencies, and special recreation
2 associations where such programs are targeted primarily to
3 minors.

4 (gg) Confidential information described in Section
5 1-100 of the Illinois Independent Tax Tribunal Act of
6 2012.

7 (hh) The report submitted to the State Board of
8 Education by the School Security and Standards Task Force
9 under item (8) of subsection (d) of Section 2-3.160 of the
10 School Code and any information contained in that report.

11 (ii) Records requested by persons committed to or
12 detained by the Department of Human Services under the
13 Sexually Violent Persons Commitment Act or committed to
14 the Department of Corrections under the Sexually Dangerous
15 Persons Act if those materials: (i) are available in the
16 library of the facility where the individual is confined;
17 (ii) include records from staff members' personnel files,
18 staff rosters, or other staffing assignment information;
19 or (iii) are available through an administrative request
20 to the Department of Human Services or the Department of
21 Corrections.

22 (jj) Confidential information described in Section
23 5-535 of the Civil Administrative Code of Illinois.

24 (kk) The public body's credit card numbers, debit card
25 numbers, bank account numbers, Federal Employer
26 Identification Number, security code numbers, passwords,

1 and similar account information, the disclosure of which
2 could result in identity theft or impersonation or defrauding
3 of a governmental entity or a person.

4 (ll) Records concerning the work of the threat
5 assessment team of a school district, including, but not
6 limited to, any threat assessment procedure under the
7 School Safety Drill Act and any information contained in
8 the procedure.

9 (mm) Information prohibited from being disclosed under
10 subsections (a) and (b) of Section 15 of the Student
11 Confidential Reporting Act.

12 (nn) ~~(mm)~~ Proprietary information submitted to the
13 Environmental Protection Agency under the Drug Take-Back
14 Act.

15 (oo) ~~(mm)~~ Records described in subsection (f) of
16 Section 3-5-1 of the Unified Code of Corrections.

17 (1.5) Any information exempt from disclosure under the
18 Judicial Privacy Act and the Public Safety and Justice Privacy
19 Act shall be redacted from public records prior to disclosure
20 under this Act.

21 (2) A public record that is not in the possession of a
22 public body but is in the possession of a party with whom the
23 agency has contracted to perform a governmental function on
24 behalf of the public body, and that directly relates to the
25 governmental function and is not otherwise exempt under this
26 Act, shall be considered a public record of the public body,

1 for purposes of this Act.

2 (3) This Section does not authorize withholding of
3 information or limit the availability of records to the
4 public, except as stated in this Section or otherwise provided
5 in this Act.

6 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
7 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
8 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752,
9 eff. 5-6-22; 102-753, eff. 1-1-23; 102-776, eff. 1-1-23;
10 102-791, eff. 5-13-22; 102-982, eff. 7-1-23; 102-1055, eff.
11 6-10-22; revised 12-13-22.)

12 Section 105. The Election Code is amended by adding
13 Section 10-10.3 as follows:

14 (10 ILCS 5/10-10.3 new)

15 Sec. 10-10.3. Removal of an official's address information
16 from the certificate of nomination or nomination papers.

17 (a) As used in this Section, "home address" and "official"
18 have the meanings given to those terms in Section 5 of the
19 Public Safety and Justice Privacy Act.

20 (b) Upon expiration of the period for filing an objection
21 to an official's certificate of nomination or nomination
22 papers, an official who is a candidate may file a written
23 request with the State Board of Elections for redaction of the
24 official's home address information from his or her

1 certificate of nomination or nomination papers. After receipt
2 of the official's written request, the State Board of
3 Elections shall redact or cause redaction of the official's
4 home address from his or her certificate of nomination or
5 nomination papers within 5 business days.

6 (c) Prior to expiration of the period for filing an
7 objection to an official's certificate of nomination or
8 nomination papers, the home address information from the
9 certificate of nomination or nomination papers of an official
10 who is a candidate is available for public inspection. After
11 redaction of an official's home address information under
12 subsection (b), the home address information is only available
13 for an in camera inspection by the court reviewing an
14 objection to the official's certificate of nomination or
15 nomination papers.

16 Section 110. The Illinois Identification Card Act is
17 amended by changing Sections 4 and 5 as follows:

18 (15 ILCS 335/4) (from Ch. 124, par. 24)

19 Sec. 4. Identification card.

20 (a) The Secretary of State shall issue a standard Illinois
21 Identification Card to any natural person who is a resident of
22 the State of Illinois who applies for such card, or renewal
23 thereof. No identification card shall be issued to any person
24 who holds a valid foreign state identification card, license,

1 or permit unless the person first surrenders to the Secretary
2 of State the valid foreign state identification card, license,
3 or permit. The card shall be prepared and supplied by the
4 Secretary of State and shall include a photograph and
5 signature or mark of the applicant. However, the Secretary of
6 State may provide by rule for the issuance of Illinois
7 Identification Cards without photographs if the applicant has
8 a bona fide religious objection to being photographed or to
9 the display of his or her photograph. The Illinois
10 Identification Card may be used for identification purposes in
11 any lawful situation only by the person to whom it was issued.
12 As used in this Act, "photograph" means any color photograph
13 or digitally produced and captured image of an applicant for
14 an identification card. As used in this Act, "signature" means
15 the name of a person as written by that person and captured in
16 a manner acceptable to the Secretary of State.

17 (a-5) If an applicant for an identification card has a
18 current driver's license or instruction permit issued by the
19 Secretary of State, the Secretary may require the applicant to
20 utilize the same residence address and name on the
21 identification card, driver's license, and instruction permit
22 records maintained by the Secretary. The Secretary may
23 promulgate rules to implement this provision.

24 (a-10) If the applicant is a judicial officer as defined
25 in Section 1-10 of the Judicial Privacy Act, an official as
26 defined in Section 5 of the Public Safety and Justice Privacy

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

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

26 (a-20) The Secretary of State shall issue a standard

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

15 (a-25) The Secretary of State shall issue a limited-term
16 Illinois Identification Card valid for 90 days to a committed
17 person upon release on parole, mandatory supervised release,
18 aftercare release, final discharge, or pardon from the
19 Department of Corrections or Department of Juvenile Justice,
20 if the released person is unable to present a certified copy of
21 his or her birth certificate and social security card or other
22 documents authorized by the Secretary, but does present a
23 Secretary of State prescribed verification form completed by
24 the Department of Corrections or Department of Juvenile
25 Justice, verifying the released person's date of birth and
26 social security number and 2 documents proving his or her

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

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

17 (a-30) The Secretary of State shall issue a standard
18 Illinois Identification Card to a person upon conditional
19 release or absolute discharge from the custody of the
20 Department of Human Services, if the 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 a document proving his or her Illinois residence address.
24 The Secretary of State shall issue a standard Illinois
25 Identification Card to a person prior to his or her
26 conditional release or absolute discharge if personnel from

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

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

1 any official document of the Department of Human Services
2 showing the person's address after release and a Secretary of
3 State prescribed verification form, which may be executed by
4 personnel of the Department of Human Services.

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

1 the display of his or her photograph. If the applicant so
2 requests, the card shall include a description of the
3 applicant's disability and any information about the
4 applicant's disability or medical history which the Secretary
5 determines would be helpful to the applicant in securing
6 emergency medical care. If a mark is used in lieu of a
7 signature, such mark shall be affixed to the card in the
8 presence of two witnesses who attest to the authenticity of
9 the mark. The Illinois Person with a Disability Identification
10 Card may be used for identification purposes in any lawful
11 situation by the person to whom it was issued.

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

1 used by any person other than the person named on such card to
2 prove that the person named on such card is a person with a
3 disability or for any other purpose unless the card is used for
4 the benefit of the person named on such card, and the person
5 named on such card consents to such use at the time the card is
6 so used.

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

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

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

25 (c-1) Each original or renewal Illinois Identification
26 Card or Illinois Person with a Disability Identification Card

1 issued to a person under the age of 21 shall display the date
2 upon which the person becomes 18 years of age and the date upon
3 which the person becomes 21 years of age.

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

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

26 (d) The Secretary of State may issue a Senior Citizen

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

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

20 (15 ILCS 335/5) (from Ch. 124, par. 25)

21 Sec. 5. Applications.

22 (a) Any natural person who is a resident of the State of
23 Illinois may file an application for an identification card,
24 or for the renewal thereof, in a manner prescribed by the
25 Secretary. Each original application shall be completed by the

1 applicant in full and shall set forth the legal name,
2 residence address and zip code, social security number, birth
3 date, sex and a brief description of the applicant. The
4 applicant shall be photographed, unless the Secretary of State
5 has provided by rule for the issuance of identification cards
6 without photographs and the applicant is deemed eligible for
7 an identification card without a photograph under the terms
8 and conditions imposed by the Secretary of State, and he or she
9 shall also submit any other information as the Secretary may
10 deem necessary or such documentation as the Secretary may
11 require to determine the identity of the applicant. In
12 addition to the residence address, the Secretary may allow the
13 applicant to provide a mailing address. If the applicant is a
14 judicial officer as defined in Section 1-10 of the Judicial
15 Privacy Act, an official as defined in Section 5 of the Public
16 Safety and Justice Privacy Act, or a peace officer, the
17 applicant may elect to have his or her office or work address
18 in lieu of the applicant's residence or mailing address. An
19 applicant for an Illinois Person with a Disability
20 Identification Card must also submit with each original or
21 renewal application, on forms prescribed by the Secretary,
22 such documentation as the Secretary may require, establishing
23 that the applicant is a "person with a disability" as defined
24 in Section 4A of this Act, and setting forth the applicant's
25 type and class of disability as set forth in Section 4A of this
26 Act. For the purposes of this subsection (a), "peace officer"

1 means any person who by virtue of his or her office or public
2 employment is vested by law with a duty to maintain public
3 order or to make arrests for a violation of any penal statute
4 of this State, whether that duty extends to all violations or
5 is limited to specific violations.

6 (a-5) Upon the first issuance of a request for proposals
7 for a digital driver's license and identification card
8 issuance and facial recognition system issued after January 1,
9 2020 (the effective date of Public Act 101-513), and upon
10 implementation of a new or revised system procured pursuant to
11 that request for proposals, the Secretary shall permit
12 applicants to choose between "male", "female", or "non-binary"
13 when designating the applicant's sex on the identification
14 card application form. The sex designated by the applicant
15 shall be displayed on the identification card issued to the
16 applicant.

17 (b) Beginning on or before July 1, 2015, for each original
18 or renewal identification card application under this Act, the
19 Secretary shall inquire as to whether the applicant is a
20 veteran for purposes of issuing an identification card with a
21 veteran designation under subsection (c-5) of Section 4 of
22 this Act. The acceptable forms of proof shall include, but are
23 not limited to, Department of Defense form DD-214, Department
24 of Defense form DD-256 for applicants who did not receive a
25 form DD-214 upon the completion of initial basic training,
26 Department of Defense form DD-2 (Retired), an identification

1 card issued under the federal Veterans Identification Card Act
2 of 2015, or a United States Department of Veterans Affairs
3 summary of benefits letter. If the document cannot be stamped,
4 the Illinois Department of Veterans' Affairs shall provide a
5 certificate to the veteran to provide to the Secretary of
6 State. The Illinois Department of Veterans' Affairs shall
7 advise the Secretary as to what other forms of proof of a
8 person's status as a veteran are acceptable.

9 For each applicant who is issued an identification card
10 with a veteran designation, the Secretary shall provide the
11 Department of Veterans' Affairs with the applicant's name,
12 address, date of birth, gender, and such other demographic
13 information as agreed to by the Secretary and the Department.
14 The Department may take steps necessary to confirm the
15 applicant is a veteran. If after due diligence, including
16 writing to the applicant at the address provided by the
17 Secretary, the Department is unable to verify the applicant's
18 veteran status, the Department shall inform the Secretary, who
19 shall notify the applicant that he or she must confirm status
20 as a veteran, or the identification card will be cancelled.

21 For purposes of this subsection (b):

22 "Armed forces" means any of the Armed Forces of the United
23 States, including a member of any reserve component or
24 National Guard unit.

25 "Veteran" means a person who has served in the armed
26 forces and was discharged or separated under honorable

1 conditions.

2 (c) All applicants for REAL ID compliant standard Illinois
3 Identification Cards and Illinois Person with a Disability
4 Identification Cards shall provide proof of lawful status in
5 the United States as defined in 6 CFR 37.3, as amended.
6 Applicants who are unable to provide the Secretary with proof
7 of lawful status are ineligible for REAL ID compliant
8 identification cards under this Act.

9 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;
10 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

11 Section 115. The Illinois Vehicle Code is amended by
12 changing Sections 3-405, 6-106, and 6-110 as follows:

13 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

14 (Text of Section before amendment by P.A. 102-1069)

15 Sec. 3-405. Application for registration.

16 (a) Every owner of a vehicle subject to registration under
17 this Code shall make application to the Secretary of State for
18 the registration of such vehicle upon the appropriate form or
19 forms furnished by the Secretary. Every such application shall
20 bear the signature of the owner written with pen and ink and
21 contain:

22 1. The name, domicile address, as defined in Section
23 1-115.5 of this Code, (except as otherwise provided in
24 this paragraph 1), mail address of the owner or business

1 address of the owner if a firm, association, or
2 corporation, and, if available, email address of the
3 owner. If the mailing address is a post office box number,
4 the address listed on the driver license record may be
5 used to verify residence. A police officer, a deputy
6 sheriff, an elected sheriff, a law enforcement officer for
7 the Illinois State Police, a fire investigator, a state's
8 attorney, an assistant state's attorney, a state's
9 attorney special investigator, an official, or a judicial
10 officer may elect to furnish the address of the
11 headquarters of the governmental entity, police district,
12 or business address where he or she works instead of his or
13 her domicile address, in which case that address shall be
14 deemed to be his or her domicile address for all purposes
15 under this Chapter 3. The spouse and children of a person
16 who may elect under this paragraph 1 to furnish the
17 address of the headquarters of the government entity,
18 police district, or business address where the person
19 works instead of the person's domicile address may, if
20 they reside with that person, also elect to furnish the
21 address of the headquarters of the government entity,
22 police district, or business address where the person
23 works as their domicile address, in which case that
24 address shall be deemed to be their domicile address for
25 all purposes under this Chapter 3. In this paragraph 1:
26 (A) "police officer" has the meaning ascribed to

1 "policeman" in Section 10-3-1 of the Illinois Municipal
2 Code; (B) "deputy sheriff" means a deputy sheriff
3 appointed under Section 3-6008 of the Counties Code; (C)
4 "elected sheriff" means a sheriff commissioned pursuant to
5 Section 3-6001 of the Counties Code; (D) "fire
6 investigator" means a person classified as a peace officer
7 under the Peace Officer Fire Investigation Act; (E)
8 "state's attorney", "assistant state's attorney", and
9 "state's attorney special investigator" mean a state's
10 attorney, assistant state's attorney, and state's attorney
11 special investigator commissioned or appointed under
12 Division 3-9 of the Counties Code; ~~and~~ (F) "judicial
13 officer" has the meaning ascribed to it in Section 1-10 of
14 the Judicial Privacy Act; and (G) "official" has the
15 meaning ascribed to it in Section 5 of the Public Safety
16 and Justice Privacy Act.

17 2. A description of the vehicle, including such
18 information as is required in an application for a
19 certificate of title, determined under such standard
20 rating as may be prescribed by the Secretary.

21 3. (Blank).

22 4. Such further information as may reasonably be
23 required by the Secretary to enable him to determine
24 whether the vehicle is lawfully entitled to registration
25 and the owner entitled to a certificate of title.

26 5. An affirmation by the applicant that all

1 information set forth is true and correct. If the
2 application is for the registration of a motor vehicle,
3 the applicant also shall affirm that the motor vehicle is
4 insured as required by this Code, that such insurance will
5 be maintained throughout the period for which the motor
6 vehicle shall be registered, and that neither the owner,
7 nor any person operating the motor vehicle with the
8 owner's permission, shall operate the motor vehicle unless
9 the required insurance is in effect. If the person signing
10 the affirmation is not the sole owner of the vehicle, such
11 person shall be deemed to have affirmed on behalf of all
12 the owners of the vehicle. If the person signing the
13 affirmation is not an owner of the vehicle, such person
14 shall be deemed to have affirmed on behalf of the owner or
15 owners of the vehicle. The lack of signature on the
16 application shall not in any manner exempt the owner or
17 owners from any provisions, requirements or penalties of
18 this Code.

19 (b) When such application refers to a new vehicle
20 purchased from a dealer the application shall be accompanied
21 by a Manufacturer's Statement of Origin from the dealer, and a
22 statement showing any lien retained by the dealer.

23 (Source: P.A. 102-538, eff. 8-20-21.)

24 (Text of Section after amendment by P.A. 102-1069)

25 Sec. 3-405. Application for registration.

1 (a) Every owner of a vehicle subject to registration under
2 this Code shall make application to the Secretary of State for
3 the registration of such vehicle upon the appropriate form or
4 forms furnished by the Secretary. Every such original
5 application shall bear the signature of the owner written with
6 pen and ink and contain:

7 1. The name, domicile address, as defined in Section
8 1-115.5 of this Code, (except as otherwise provided in
9 this paragraph 1), mail address of the owner or business
10 address of the owner if a firm, association, or
11 corporation, and, if available, email address of the
12 owner. If the mailing address is a post office box number,
13 the address listed on the driver license record may be
14 used to verify residence. A police officer, a deputy
15 sheriff, an elected sheriff, a law enforcement officer for
16 the Illinois State Police, a fire investigator, a state's
17 attorney, an assistant state's attorney, a state's
18 attorney special investigator, an official, or a judicial
19 officer may elect to furnish the address of the
20 headquarters of the governmental entity, police district,
21 or business address where he or she works instead of his or
22 her domicile address, in which case that address shall be
23 deemed to be his or her domicile address for all purposes
24 under this Chapter 3. The spouse and children of a person
25 who may elect under this paragraph 1 to furnish the
26 address of the headquarters of the government entity,

1 police district, or business address where the person
2 works instead of the person's domicile address may, if
3 they reside with that person, also elect to furnish the
4 address of the headquarters of the government entity,
5 police district, or business address where the person
6 works as their domicile address, in which case that
7 address shall be deemed to be their domicile address for
8 all purposes under this Chapter 3. In this paragraph 1:

9 (A) "police officer" has the meaning ascribed to
10 "policeman" in Section 10-3-1 of the Illinois Municipal
11 Code; (B) "deputy sheriff" means a deputy sheriff
12 appointed under Section 3-6008 of the Counties Code; (C)
13 "elected sheriff" means a sheriff commissioned pursuant to
14 Section 3-6001 of the Counties Code; (D) "fire
15 investigator" means a person classified as a peace officer
16 under the Peace Officer Fire Investigation Act; (E)
17 "state's attorney", "assistant state's attorney", and
18 "state's attorney special investigator" mean a state's
19 attorney, assistant state's attorney, and state's attorney
20 special investigator commissioned or appointed under
21 Division 3-9 of the Counties Code; ~~and~~ (F) "judicial
22 officer" has the meaning ascribed to it in Section 1-10 of
23 the Judicial Privacy Act; and (G) "official" has the
24 meaning ascribed to it in Section 5 of the Public Safety
25 and Justice Privacy Act.

26 2. A description of the vehicle, including such

1 information as is required in an application for a
2 certificate of title, determined under such standard
3 rating as may be prescribed by the Secretary.

4 3. (Blank).

5 3.5. A space for a voluntary disclosure of a condition
6 that impedes effective communication under Section
7 3-405.5.

8 4. Such further information as may reasonably be
9 required by the Secretary to enable him to determine
10 whether the vehicle is lawfully entitled to registration
11 and the owner entitled to a certificate of title.

12 5. An affirmation by the applicant that all
13 information set forth is true and correct. If the
14 application is for the registration of a motor vehicle,
15 the applicant also shall affirm that the motor vehicle is
16 insured as required by this Code, that such insurance will
17 be maintained throughout the period for which the motor
18 vehicle shall be registered, and that neither the owner,
19 nor any person operating the motor vehicle with the
20 owner's permission, shall operate the motor vehicle unless
21 the required insurance is in effect. If the person signing
22 the affirmation is not the sole owner of the vehicle, such
23 person shall be deemed to have affirmed on behalf of all
24 the owners of the vehicle. If the person signing the
25 affirmation is not an owner of the vehicle, such person
26 shall be deemed to have affirmed on behalf of the owner or

1 owners of the vehicle. The lack of signature on the
2 application shall not in any manner exempt the owner or
3 owners from any provisions, requirements or penalties of
4 this Code.

5 (b) When such application refers to a new vehicle
6 purchased from a dealer the application shall be accompanied
7 by a Manufacturer's Statement of Origin from the dealer, and a
8 statement showing any lien retained by the dealer.

9 (Source: P.A. 102-538, eff. 8-20-21; 102-1069, eff. 7-1-23.)

10 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

11 Sec. 6-106. Application for license or instruction permit.

12 (a) Every application for any permit or license authorized
13 to be issued under this Code shall be made upon a form
14 furnished by the Secretary of State. Every application shall
15 be accompanied by the proper fee and payment of such fee shall
16 entitle the applicant to not more than 3 attempts to pass the
17 examination within a period of one year after the date of
18 application.

19 (b) Every application shall state the legal name, social
20 security number, zip code, date of birth, sex, and residence
21 address of the applicant; briefly describe the applicant;
22 state whether the applicant has theretofore been licensed as a
23 driver, and, if so, when and by what state or country, and
24 whether any such license has ever been cancelled, suspended,
25 revoked or refused, and, if so, the date and reason for such

1 cancellation, suspension, revocation or refusal; shall include
2 an affirmation by the applicant that all information set forth
3 is true and correct; and shall bear the applicant's signature.
4 In addition to the residence address, the Secretary may allow
5 the applicant to provide a mailing address. In the case of an
6 applicant who is a judicial officer, official, or peace
7 officer, the Secretary may allow the applicant to provide an
8 office or work address in lieu of a residence or mailing
9 address. The application form may also require the statement
10 of such additional relevant information as the Secretary of
11 State shall deem necessary to determine the applicant's
12 competency and eligibility. The Secretary of State may, in his
13 discretion, by rule or regulation, provide that an application
14 for a drivers license or permit may include a suitable
15 photograph of the applicant in the form prescribed by the
16 Secretary, and he may further provide that each drivers
17 license shall include a photograph of the driver. The
18 Secretary of State may utilize a photograph process or system
19 most suitable to deter alteration or improper reproduction of
20 a drivers license and to prevent substitution of another photo
21 thereon. For the purposes of this subsection (b) 7

22 "Official" has the meaning ascribed to it in Section 5
23 of the Public Safety and Justice Privacy Act.

24 "Peace ~~peace~~ officer" means any person who by virtue
25 of his or her office or public employment is vested by law
26 with a duty to maintain public order or to make arrests for

1 a violation of any penal statute of this State, whether
2 that duty extends to all violations or is limited to
3 specific violations.

4 (b-3) Upon the first issuance of a request for proposals
5 for a digital driver's license and identification card
6 issuance and facial recognition system issued after January 1,
7 2020 (the effective date of Public Act 101-513), and upon
8 implementation of a new or revised system procured pursuant to
9 that request for proposals, the Secretary shall permit
10 applicants to choose between "male", "female" or "non-binary"
11 when designating the applicant's sex on the driver's license
12 application form. The sex designated by the applicant shall be
13 displayed on the driver's license issued to the applicant.

14 (b-5) Every applicant for a REAL ID compliant driver's
15 license or permit shall provide proof of lawful status in the
16 United States as defined in 6 CFR 37.3, as amended. Applicants
17 who are unable to provide the Secretary with proof of lawful
18 status may apply for a driver's license or permit under
19 Section 6-105.1 of this Code.

20 (c) The application form shall include a notice to the
21 applicant of the registration obligations of sex offenders
22 under the Sex Offender Registration Act. The notice shall be
23 provided in a form and manner prescribed by the Secretary of
24 State. For purposes of this subsection (c), "sex offender" has
25 the meaning ascribed to it in Section 2 of the Sex Offender
26 Registration Act.

1 (d) Any male United States citizen or immigrant who
2 applies for any permit or license authorized to be issued
3 under this Code or for a renewal of any permit or license, and
4 who is at least 18 years of age but less than 26 years of age,
5 must be registered in compliance with the requirements of the
6 federal Military Selective Service Act. The Secretary of State
7 must forward in an electronic format the necessary personal
8 information regarding the applicants identified in this
9 subsection (d) to the Selective Service System. The
10 applicant's signature on the application serves as an
11 indication that the applicant either has already registered
12 with the Selective Service System or that he is authorizing
13 the Secretary to forward to the Selective Service System the
14 necessary information for registration. The Secretary must
15 notify the applicant at the time of application that his
16 signature constitutes consent to registration with the
17 Selective Service System, if he is not already registered.

18 (e) Beginning on or before July 1, 2015, for each original
19 or renewal driver's license application under this Code, the
20 Secretary shall inquire as to whether the applicant is a
21 veteran for purposes of issuing a driver's license with a
22 veteran designation under subsection (e-5) of Section 6-110 of
23 this Code. The acceptable forms of proof shall include, but
24 are not limited to, Department of Defense form DD-214,
25 Department of Defense form DD-256 for applicants who did not
26 receive a form DD-214 upon the completion of initial basic

1 training, Department of Defense form DD-2 (Retired), an
2 identification card issued under the federal Veterans
3 Identification Card Act of 2015, or a United States Department
4 of Veterans Affairs summary of benefits letter. If the
5 document cannot be stamped, the Illinois Department of
6 Veterans' Affairs shall provide a certificate to the veteran
7 to provide to the Secretary of State. The Illinois Department
8 of Veterans' Affairs shall advise the Secretary as to what
9 other forms of proof of a person's status as a veteran are
10 acceptable.

11 For each applicant who is issued a driver's license with a
12 veteran designation, the Secretary shall provide the
13 Department of Veterans' Affairs with the applicant's name,
14 address, date of birth, gender and such other demographic
15 information as agreed to by the Secretary and the Department.
16 The Department may take steps necessary to confirm the
17 applicant is a veteran. If after due diligence, including
18 writing to the applicant at the address provided by the
19 Secretary, the Department is unable to verify the applicant's
20 veteran status, the Department shall inform the Secretary, who
21 shall notify the applicant that he or she must confirm status
22 as a veteran, or the driver's license will be cancelled.

23 For purposes of this subsection (e):

24 "Armed forces" means any of the Armed Forces of the United
25 States, including a member of any reserve component or
26 National Guard unit.

1 "Veteran" means a person who has served in the armed
2 forces and was discharged or separated under honorable
3 conditions.

4 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;
5 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

6 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

7 Sec. 6-110. Licenses issued to drivers.

8 (a) The Secretary of State shall issue to every qualifying
9 applicant a driver's license as applied for, which license
10 shall bear a distinguishing number assigned to the licensee,
11 the legal name, signature, zip code, date of birth, residence
12 address, and a brief description of the licensee.

13 Licenses issued shall also indicate the classification and
14 the restrictions under Section 6-104 of this Code. The
15 Secretary may adopt rules to establish informational
16 restrictions that can be placed on the driver's license
17 regarding specific conditions of the licensee.

18 A driver's license issued may, in the discretion of the
19 Secretary, include a suitable photograph of a type prescribed
20 by the Secretary.

21 (a-1) If the licensee is less than 18 years of age, unless
22 one of the exceptions in subsection (a-2) apply, the license
23 shall, as a matter of law, be invalid for the operation of any
24 motor vehicle during the following times:

25 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

1 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on
2 Sunday; and

3 (C) Between 10:00 p.m. on Sunday to Thursday,
4 inclusive, and 6:00 a.m. on the following day.

5 (a-2) The driver's license of a person under the age of 18
6 shall not be invalid as described in subsection (a-1) of this
7 Section if the licensee under the age of 18 was:

8 (1) accompanied by the licensee's parent or guardian
9 or other person in custody or control of the minor;

10 (2) on an errand at the direction of the minor's
11 parent or guardian, without any detour or stop;

12 (3) in a motor vehicle involved in interstate travel;

13 (4) going to or returning home from an employment
14 activity, without any detour or stop;

15 (5) involved in an emergency;

16 (6) going to or returning home from, without any
17 detour or stop, an official school, religious, or other
18 recreational activity supervised by adults and sponsored
19 by a government or governmental agency, a civic
20 organization, or another similar entity that takes
21 responsibility for the licensee, without any detour or
22 stop;

23 (7) exercising First Amendment rights protected by the
24 United States Constitution, such as the free exercise of
25 religion, freedom of speech, and the right of assembly; or

26 (8) married or had been married or is an emancipated

1 minor under the Emancipation of Minors Act.

2 (a-2.5) The driver's license of a person who is 17 years of
3 age and has been licensed for at least 12 months is not invalid
4 as described in subsection (a-1) of this Section while the
5 licensee is participating as an assigned driver in a Safe
6 Rides program that meets the following criteria:

7 (1) the program is sponsored by the Boy Scouts of
8 America or another national public service organization;
9 and

10 (2) the sponsoring organization carries liability
11 insurance covering the program.

12 (a-3) If a graduated driver's license holder over the age
13 of 18 committed an offense against traffic regulations
14 governing the movement of vehicles or any violation of Section
15 6-107 or Section 12-603.1 of this Code in the 6 months prior to
16 the graduated driver's license holder's 18th birthday, and was
17 subsequently convicted of the offense, the provisions of
18 subsection (a-1) shall continue to apply until such time as a
19 period of 6 consecutive months has elapsed without an
20 additional violation and subsequent conviction of an offense
21 against traffic regulations governing the movement of vehicles
22 or Section 6-107 or Section 12-603.1 of this Code.

23 (a-4) If an applicant for a driver's license or
24 instruction permit has a current identification card issued by
25 the Secretary of State, the Secretary may require the
26 applicant to utilize the same residence address and name on

1 the identification card, driver's license, and instruction
2 permit records maintained by the Secretary. The Secretary may
3 promulgate rules to implement this provision.

4 (a-5) If an applicant for a driver's license is a judicial
5 officer, an official, or a peace officer, the applicant may
6 elect to have his or her office or work address listed on the
7 license instead of the applicant's residence or mailing
8 address. The Secretary of State shall adopt rules to implement
9 this subsection (a-5). For the purposes of this subsection
10 (a-5) 7

11 "Official" has the meaning ascribed to it in Section 5 of
12 the Public Safety and Justice Privacy Act.

13 "Peace ~~peace~~ officer" means any person who by virtue of
14 his or her office or public employment is vested by law with a
15 duty to maintain public order or to make arrests for a
16 violation of any penal statute of this State, whether that
17 duty extends to all violations or is limited to specific
18 violations.

19 (b) Until the Secretary of State establishes a First
20 Person Consent organ and tissue donor registry under Section
21 6-117 of this Code, the Secretary of State shall provide a
22 format on the reverse of each driver's license issued which
23 the licensee may use to execute a document of gift conforming
24 to the provisions of the Illinois Anatomical Gift Act. The
25 format shall allow the licensee to indicate the gift intended,
26 whether specific organs, any organ, or the entire body, and

1 shall accommodate the signatures of the donor and 2 witnesses.
2 The Secretary shall also inform each applicant or licensee of
3 this format, describe the procedure for its execution, and may
4 offer the necessary witnesses; provided that in so doing, the
5 Secretary shall advise the applicant or licensee that he or
6 she is under no compulsion to execute a document of gift. A
7 brochure explaining this method of executing an anatomical
8 gift document shall be given to each applicant or licensee.
9 The brochure shall advise the applicant or licensee that he or
10 she is under no compulsion to execute a document of gift, and
11 that he or she may wish to consult with family, friends or
12 clergy before doing so. The Secretary of State may undertake
13 additional efforts, including education and awareness
14 activities, to promote organ and tissue donation.

15 (c) The Secretary of State shall designate on each
16 driver's license issued a space where the licensee may place a
17 sticker or decal of the uniform size as the Secretary may
18 specify, which sticker or decal may indicate in appropriate
19 language that the owner of the license carries an Emergency
20 Medical Information Card.

21 The sticker may be provided by any person, hospital,
22 school, medical group, or association interested in assisting
23 in implementing the Emergency Medical Information Card, but
24 shall meet the specifications as the Secretary may by rule or
25 regulation require.

26 (d) The Secretary of State shall designate on each

1 driver's license issued a space where the licensee may
2 indicate his blood type and RH factor.

3 (e) The Secretary of State shall provide that each
4 original or renewal driver's license issued to a licensee
5 under 21 years of age shall be of a distinct nature from those
6 driver's licenses issued to individuals 21 years of age and
7 older. The color designated for driver's licenses for
8 licensees under 21 years of age shall be at the discretion of
9 the Secretary of State.

10 (e-1) The Secretary shall provide that each driver's
11 license issued to a person under the age of 21 displays the
12 date upon which the person becomes 18 years of age and the date
13 upon which the person becomes 21 years of age.

14 (e-3) The General Assembly recognizes the need to identify
15 military veterans living in this State for the purpose of
16 ensuring that they receive all of the services and benefits to
17 which they are legally entitled, including healthcare,
18 education assistance, and job placement. To assist the State
19 in identifying these veterans and delivering these vital
20 services and benefits, the Secretary of State is authorized to
21 issue drivers' licenses with the word "veteran" appearing on
22 the face of the licenses. This authorization is predicated on
23 the unique status of veterans. The Secretary may not issue any
24 other driver's license which identifies an occupation, status,
25 affiliation, hobby, or other unique characteristics of the
26 license holder which is unrelated to the purpose of the

1 driver's license.

2 (e-5) Beginning on or before July 1, 2015, the Secretary
3 of State shall designate a space on each original or renewal
4 driver's license where, at the request of the applicant, the
5 word "veteran" shall be placed. The veteran designation shall
6 be available to a person identified as a veteran under
7 subsection (e) of Section 6-106 of this Code who was
8 discharged or separated under honorable conditions.

9 (f) The Secretary of State shall inform all Illinois
10 licensed commercial motor vehicle operators of the
11 requirements of the Uniform Commercial Driver License Act,
12 Article V of this Chapter, and shall make provisions to insure
13 that all drivers, seeking to obtain a commercial driver's
14 license, be afforded an opportunity prior to April 1, 1992, to
15 obtain the license. The Secretary is authorized to extend
16 driver's license expiration dates, and assign specific times,
17 dates and locations where these commercial driver's tests
18 shall be conducted. Any applicant, regardless of the current
19 expiration date of the applicant's driver's license, may be
20 subject to any assignment by the Secretary. Failure to comply
21 with the Secretary's assignment may result in the applicant's
22 forfeiture of an opportunity to receive a commercial driver's
23 license prior to April 1, 1992.

24 (g) The Secretary of State shall designate on a driver's
25 license issued, a space where the licensee may indicate that
26 he or she has drafted a living will in accordance with the

1 Illinois Living Will Act or a durable power of attorney for
2 health care in accordance with the Illinois Power of Attorney
3 Act.

4 (g-1) The Secretary of State, in his or her discretion,
5 may designate on each driver's license issued a space where
6 the licensee may place a sticker or decal, issued by the
7 Secretary of State, of uniform size as the Secretary may
8 specify, that shall indicate in appropriate language that the
9 owner of the license has renewed his or her driver's license.

10 (h) A person who acts in good faith in accordance with the
11 terms of this Section is not liable for damages in any civil
12 action or subject to prosecution in any criminal proceeding
13 for his or her act.

14 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13;
15 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff.
16 1-1-14; 98-463, eff. 8-16-13.)

17 Section 995. No acceleration or delay. Where this Act
18 makes changes in a statute that is represented in this Act by
19 text that is not yet or no longer in effect (for example, a
20 Section represented by multiple versions), the use of that
21 text does not accelerate or delay the taking effect of (i) the
22 changes made by this Act or (ii) provisions derived from any
23 other Public Act.

24 Section 999. Effective date. This Act takes effect upon
25 becoming law.