



Sen. Doris Turner

**Filed: 10/24/2023**

10300SB0856sam001

LRB103 03315 MXP 64923 a

1 AMENDMENT TO SENATE BILL 856

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 856 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Identification Card Act is  
5 amended by changing Section 5 as follows:

6 (15 ILCS 335/5) (from Ch. 124, par. 25)

7 (Text of Section before amendment by P.A. 103-210)

8 Sec. 5. Applications.

9 (a) Any natural person who is a resident of the State of  
10 Illinois may file an application for an identification card,  
11 or for the renewal thereof, in a manner prescribed by the  
12 Secretary. Each original application shall be completed by the  
13 applicant in full and shall set forth the legal name,  
14 residence address and zip code, social security number, birth  
15 date, sex and a brief description of the applicant. The  
16 applicant shall be photographed, unless the Secretary of State

1 has provided by rule for the issuance of identification cards  
2 without photographs and the applicant is deemed eligible for  
3 an identification card without a photograph under the terms  
4 and conditions imposed by the Secretary of State, and he or she  
5 shall also submit any other information as the Secretary may  
6 deem necessary or such documentation as the Secretary may  
7 require to determine the identity of the applicant. In  
8 addition to the residence address, the Secretary may allow the  
9 applicant to provide a mailing address. If the applicant is an  
10 employee of the Department of Children and Family Services  
11 with a job title of "Child Protection Specialist Trainee",  
12 "Child Protection Specialist", "Child Protection Advanced  
13 Specialist", "Child Welfare Specialist Trainee", "Child  
14 Welfare Specialist", or "Child Welfare Advanced Specialist" or  
15 a judicial officer as defined in Section 1-10 of the Judicial  
16 Privacy Act or a peace officer, the applicant may elect to have  
17 his or her office or work address in lieu of the applicant's  
18 residence or mailing address. An applicant for an Illinois  
19 Person with a Disability Identification Card must also submit  
20 with each original or renewal application, on forms prescribed  
21 by the Secretary, such documentation as the Secretary may  
22 require, establishing that the applicant is a "person with a  
23 disability" as defined in Section 4A of this Act, and setting  
24 forth the applicant's type and class of disability as set  
25 forth in Section 4A of this Act. For the purposes of this  
26 subsection (a), "peace officer" means any person who by virtue

1 of his or her office or public employment is vested by law with  
2 a duty to maintain public order or to make arrests for a  
3 violation of any penal statute of this State, whether that  
4 duty extends to all violations or is limited to specific  
5 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 (Text of Section after amendment by P.A. 103-210)

12 Sec. 5. Applications.

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14 Illinois may file an application for an identification card,  
15 or for the renewal thereof, in a manner prescribed by the  
16 Secretary. Each original application shall be completed by the  
17 applicant in full and shall set forth the legal name,  
18 residence address and zip code, social security number, if the  
19 person has a social security number, birth date, sex and a  
20 brief description of the applicant. The applicant shall be  
21 photographed, unless the Secretary of State has provided by  
22 rule for the issuance of identification cards without  
23 photographs and the applicant is deemed eligible for an  
24 identification card without a photograph under the terms and  
25 conditions imposed by the Secretary of State, and he or she

1 shall also submit any other information as the Secretary may  
2 deem necessary or such documentation as the Secretary may  
3 require to determine the identity of the applicant. In  
4 addition to the residence address, the Secretary may allow the  
5 applicant to provide a mailing address. If the applicant is an  
6 employee of the Department of Children and Family Services  
7 with a job title of "Child Protection Specialist Trainee",  
8 "Child Protection Specialist", "Child Protection Advanced  
9 Specialist", "Child Welfare Specialist Trainee", "Child  
10 Welfare Specialist" or "Child Welfare Advanced Specialist or a  
11 judicial officer as defined in Section 1-10 of the Judicial  
12 Privacy Act or a peace officer, the applicant may elect to have  
13 his or her office or work address in lieu of the applicant's  
14 residence or mailing address. An applicant for an Illinois  
15 Person with a Disability Identification Card must also submit  
16 with each original or renewal application, on forms prescribed  
17 by the Secretary, such documentation as the Secretary may  
18 require, establishing that the applicant is a "person with a  
19 disability" as defined in Section 4A of this Act, and setting  
20 forth the applicant's type and class of disability as set  
21 forth in Section 4A of this Act. For the purposes of this  
22 subsection (a), "peace officer" means any person who by virtue  
23 of his or her office or public employment is vested by law with  
24 a duty to maintain public order or to make arrests for a  
25 violation of any penal statute of this State, whether that  
26 duty extends to all violations or is limited to specific

1 violations.

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

13 (b) Beginning on or before July 1, 2015, for each original  
14 or renewal identification card application under this Act, the  
15 Secretary shall inquire as to whether the applicant is a  
16 veteran for purposes of issuing an identification card with a  
17 veteran designation under subsection (c-5) of Section 4 of  
18 this Act. The acceptable forms of proof shall include, but are  
19 not limited to, Department of Defense form DD-214, Department  
20 of Defense form DD-256 for applicants who did not receive a  
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24 of 2015, or a United States Department of Veterans Affairs  
25 summary of benefits letter. If the document cannot be stamped,  
26 the Illinois Department of Veterans' Affairs shall provide a

1 certificate to the veteran to provide to the Secretary of  
2 State. The Illinois Department of Veterans' Affairs shall  
3 advise the Secretary as to what other forms of proof of a  
4 person's status as a veteran are acceptable.

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

17 For purposes of this subsection (b):

18 "Armed forces" means any of the Armed Forces of the United  
19 States, including a member of any reserve component or  
20 National Guard unit.

21 "Veteran" means a person who has served in the armed  
22 forces and was discharged or separated under honorable  
23 conditions.

24 (c) All applicants for REAL ID compliant standard Illinois  
25 Identification Cards and Illinois Person with a Disability  
26 Identification Cards shall provide proof of lawful status in



1 the United States as defined in 6 CFR 37.3, as amended.  
2 Applicants who are unable to provide the Secretary with proof  
3 of lawful status are ineligible for REAL ID compliant  
4 identification cards under this Act.

5 (d) The Secretary of State may accept, as proof of date of  
6 birth and written signature for any applicant for a standard  
7 identification card who does not have a social security number  
8 or documentation issued by the United States Department of  
9 Homeland Security authorizing the applicant's presence in this  
10 country, any passport validly issued to the applicant from the  
11 applicant's country of citizenship or a consular  
12 identification document validly issued to the applicant by a  
13 consulate of that country as defined in Section 5 of the  
14 Consular Identification Document Act. Any such documents must  
15 be either unexpired or presented by an applicant within 2  
16 years of its expiration date.

17 (Source: P.A. 102-558, eff. 8-20-21; 103-210, eff. 7-1-24.)

18 Section 10. The Illinois Vehicle Code is amended by  
19 changing Section 6-110 as follows:

20 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

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

22 (a) The Secretary of State shall issue to every qualifying  
23 applicant a driver's license as applied for, which license  
24 shall bear a distinguishing number assigned to the licensee,

1 the legal name, signature, zip code, date of birth, residence  
2 address, and a brief description of the licensee.

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

8 A driver's license issued may, in the discretion of the  
9 Secretary, include a suitable photograph of a type prescribed  
10 by the Secretary.

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

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

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

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

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

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

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

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

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

4 (5) involved in an emergency;

5 (6) going to or returning home from, without any  
6 detour or stop, an official school, religious, or other  
7 recreational activity supervised by adults and sponsored  
8 by a government or governmental agency, a civic  
9 organization, or another similar entity that takes  
10 responsibility for the licensee, without any detour or  
11 stop;

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

15 (8) married or had been married or is an emancipated  
16 minor under the Emancipation of Minors Act.

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

22 (1) the program is sponsored by the Boy Scouts of  
23 America or another national public service organization;  
24 and

25 (2) the sponsoring organization carries liability  
26 insurance covering the program.

1 (a-3) If a graduated driver's license holder over the age  
2 of 18 committed an offense against traffic regulations  
3 governing the movement of vehicles or any violation of Section  
4 6-107 or Section 12-603.1 of this Code in the 6 months prior to  
5 the graduated driver's license holder's 18th birthday, and was  
6 subsequently convicted of the offense, the provisions of  
7 subsection (a-1) shall continue to apply until such time as a  
8 period of 6 consecutive months has elapsed without an  
9 additional violation and subsequent conviction of an offense  
10 against traffic regulations governing the movement of vehicles  
11 or Section 6-107 or Section 12-603.1 of this Code.

12 (a-4) If an applicant for a driver's license or  
13 instruction permit has a current identification card issued by  
14 the Secretary of State, the Secretary may require the  
15 applicant to utilize the same residence address and name on  
16 the identification card, driver's license, and instruction  
17 permit records maintained by the Secretary. The Secretary may  
18 promulgate rules to implement this provision.

19 (a-5) If an applicant for a driver's license is an  
20 employee of the Department of Children and Family Services  
21 with a job title of "Child Protection Specialist Trainee",  
22 "Child Protection Specialist", "Child Protection Advanced  
23 Specialist", "Child Welfare Specialist Trainee", "Child  
24 Welfare Specialist", or "Child Welfare Advanced Specialist" or  
25 a judicial officer or a peace officer, the applicant may elect  
26 to have his or her office or work address listed on the license

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

9 (b) Until the Secretary of State establishes a First  
10 Person Consent organ and tissue donor registry under Section  
11 6-117 of this Code, the Secretary of State shall provide a  
12 format on the reverse of each driver's license issued which  
13 the licensee may use to execute a document of gift conforming  
14 to the provisions of the Illinois Anatomical Gift Act. The  
15 format shall allow the licensee to indicate the gift intended,  
16 whether specific organs, any organ, or the entire body, and  
17 shall accommodate the signatures of the donor and 2 witnesses.  
18 The Secretary shall also inform each applicant or licensee of  
19 this format, describe the procedure for its execution, and may  
20 offer the necessary witnesses; provided that in so doing, the  
21 Secretary shall advise the applicant or licensee that he or  
22 she is under no compulsion to execute a document of gift. A  
23 brochure explaining this method of executing an anatomical  
24 gift document shall be given to each applicant or licensee.  
25 The brochure shall advise the applicant or licensee that he or  
26 she is under no compulsion to execute a document of gift, and

1 that he or she may wish to consult with family, friends or  
2 clergy before doing so. The Secretary of State may undertake  
3 additional efforts, including education and awareness  
4 activities, to promote organ and tissue donation.

5 (c) The Secretary of State shall designate on each  
6 driver's license issued a space where the licensee may place a  
7 sticker or decal of the uniform size as the Secretary may  
8 specify, which sticker or decal may indicate in appropriate  
9 language that the owner of the license carries an Emergency  
10 Medical Information Card.

11 The sticker may be provided by any person, hospital,  
12 school, medical group, or association interested in assisting  
13 in implementing the Emergency Medical Information Card, but  
14 shall meet the specifications as the Secretary may by rule or  
15 regulation require.

16 (d) The Secretary of State shall designate on each  
17 driver's license issued a space where the licensee may  
18 indicate his blood type and RH factor.

19 (e) The Secretary of State shall provide that each  
20 original or renewal driver's license issued to a licensee  
21 under 21 years of age shall be of a distinct nature from those  
22 driver's licenses issued to individuals 21 years of age and  
23 older. The color designated for driver's licenses for  
24 licensees under 21 years of age shall be at the discretion of  
25 the Secretary of State.

26 (e-1) The Secretary shall provide that each driver's

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

4 (e-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 drivers' licenses with the word "veteran" appearing on  
12 the face of the licenses. This authorization is predicated on  
13 the unique status of veterans. The Secretary may not issue any  
14 other driver's license which identifies an occupation, status,  
15 affiliation, hobby, or other unique characteristics of the  
16 license holder which is unrelated to the purpose of the  
17 driver's license.

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

25 (f) The Secretary of State shall inform all Illinois  
26 licensed commercial motor vehicle operators of the

1 requirements of the Uniform Commercial Driver License Act,  
2 Article V of this Chapter, and shall make provisions to insure  
3 that all drivers, seeking to obtain a commercial driver's  
4 license, be afforded an opportunity prior to April 1, 1992, to  
5 obtain the license. The Secretary is authorized to extend  
6 driver's license expiration dates, and assign specific times,  
7 dates and locations where these commercial driver's tests  
8 shall be conducted. Any applicant, regardless of the current  
9 expiration date of the applicant's driver's license, may be  
10 subject to any assignment by the Secretary. Failure to comply  
11 with the Secretary's assignment may result in the applicant's  
12 forfeiture of an opportunity to receive a commercial driver's  
13 license prior to April 1, 1992.

14 (g) The Secretary of State shall designate on a driver's  
15 license issued, a space where the licensee may indicate that  
16 he or she has drafted a living will in accordance with the  
17 Illinois Living Will Act or a durable power of attorney for  
18 health care in accordance with the Illinois Power of Attorney  
19 Act.

20 (g-1) The Secretary of State, in his or her discretion,  
21 may designate on each driver's license issued a space where  
22 the licensee may place a sticker or decal, issued by the  
23 Secretary of State, of uniform size as the Secretary may  
24 specify, that shall indicate in appropriate language that the  
25 owner of the license has renewed his or her driver's license.

26 (h) A person who acts in good faith in accordance with the



1 terms of this Section is not liable for damages in any civil  
2 action or subject to prosecution in any criminal proceeding  
3 for his or her act.

4 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13;  
5 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff.  
6 1-1-14; 98-463, eff. 8-16-13.)

7 Section 95. No acceleration or delay. Where this Act makes  
8 changes in a statute that is represented in this Act by text  
9 that is not yet or no longer in effect (for example, a Section  
10 represented by multiple versions), the use of that text does  
11 not accelerate or delay the taking effect of (i) the changes  
12 made by this Act or (ii) provisions derived from any other  
13 Public Act.

14 Section 99. Effective date. This Act takes effect January  
15 1, 2024."