



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1649

Introduced 2/8/2023, by Sen. Rachel Ventura

#### SYNOPSIS AS INTRODUCED:

15 ILCS 335/4  
15 ILCS 335/5

from Ch. 124, par. 24  
from Ch. 124, par. 25

Amends the Illinois Identification Card Act. Deletes a provision that requires the holder of a foreign state identification card, license, or permit to surrender that document before being issued various State identification cards. Deletes a provision that requires an applicant for a State identification card to provide the applicant's social security number on the application for the identification card. Requires each applicant for a REAL ID to provide the applicant's legal name, residence address and zip code, birth date, and sex and a brief physical description of the applicant. Deletes a provision requiring a REAL ID applicant to provide proof of lawful status in the United States.

LRB103 28919 DTM 55305 b

1 AN ACT concerning State government.

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

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

6 (15 ILCS 335/4) (from Ch. 124, par. 24)

7 Sec. 4. Identification card.

8 (a) The Secretary of State shall issue a standard Illinois  
9 Identification Card to any natural person who is a resident of  
10 the State of Illinois who applies for such card, or renewal  
11 thereof. ~~No identification card shall be issued to any person~~  
12 ~~who holds a valid foreign state identification card, license,~~  
13 ~~or permit unless the person first surrenders to the Secretary~~  
14 ~~of State the valid foreign state identification card, license,~~  
15 ~~or permit.~~ The card shall be prepared and supplied by the  
16 Secretary of State and shall include a photograph and  
17 signature or mark of the applicant. However, the Secretary of  
18 State may provide by rule for the issuance of Illinois  
19 Identification Cards without photographs if the applicant has  
20 a bona fide religious objection to being photographed or to  
21 the display of his or her photograph. The Illinois  
22 Identification Card may be used for identification purposes in  
23 any lawful situation only by the person to whom it was issued.

1 As used in this Act, "photograph" means any color photograph  
2 or digitally produced and captured image of an applicant for  
3 an identification card. As used in this Act, "signature" means  
4 the name of a person as written by that person and captured in  
5 a manner acceptable to the Secretary of State.

6 (a-5) If an applicant for an identification card has a  
7 current driver's license or instruction permit issued by the  
8 Secretary of State, the Secretary may require the applicant to  
9 utilize the same residence address and name on the  
10 identification card, driver's license, and instruction permit  
11 records maintained by the Secretary. The Secretary may  
12 promulgate rules to implement this provision.

13 (a-10) If the applicant is a judicial officer as defined  
14 in Section 1-10 of the Judicial Privacy Act or a peace officer,  
15 the applicant may elect to have his or her office or work  
16 address listed on the card instead of the applicant's  
17 residence or mailing address. The Secretary may promulgate  
18 rules to implement this provision. For the purposes of this  
19 subsection (a-10), "peace officer" means any person who by  
20 virtue of his or her office or public employment is vested by  
21 law with a duty to maintain public order or to make arrests for  
22 a violation of any penal statute of this State, whether that  
23 duty extends to all violations or is limited to specific  
24 violations.

25 (a-15) The Secretary of State may provide for an expedited  
26 process for the issuance of an Illinois Identification Card.

1 The Secretary shall charge an additional fee for the expedited  
2 issuance of an Illinois Identification Card, to be set by  
3 rule, not to exceed \$75. All fees collected by the Secretary  
4 for expedited Illinois Identification Card service shall be  
5 deposited into the Secretary of State Special Services Fund.  
6 The Secretary may adopt rules regarding the eligibility,  
7 process, and fee for an expedited Illinois Identification  
8 Card. If the Secretary of State determines that the volume of  
9 expedited identification card requests received on a given day  
10 exceeds the ability of the Secretary to process those requests  
11 in an expedited manner, the Secretary may decline to provide  
12 expedited services, and the additional fee for the expedited  
13 service shall be refunded to the applicant.

14 (a-20) The Secretary of State shall issue a standard  
15 Illinois Identification Card to a committed person upon  
16 release on parole, mandatory supervised release, aftercare  
17 release, final discharge, or pardon from the Department of  
18 Corrections or Department of Juvenile Justice, if the released  
19 person presents a certified copy of his or her birth  
20 certificate, social security card or other documents  
21 authorized by the Secretary, and 2 documents proving his or  
22 her Illinois residence address. Documents proving residence  
23 address may include any official document of the Department of  
24 Corrections or the Department of Juvenile Justice showing the  
25 released person's address after release and a Secretary of  
26 State prescribed certificate of residency form, which may be

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

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

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

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

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

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

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

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

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

26 The Illinois Person with a Disability Identification Card



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

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

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

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

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

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

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

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

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

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

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

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

8 (15 ILCS 335/5) (from Ch. 124, par. 25)

9 Sec. 5. Applications.

10 (a) Any natural person who is a resident of the State of  
11 Illinois may file an application for an identification card,  
12 or for the renewal thereof, in a manner prescribed by the  
13 Secretary. Each original application shall be completed by the  
14 applicant in full and shall set forth the legal name,  
15 residence address and zip code, ~~social security number~~, birth  
16 date, sex and a brief description of the applicant. The  
17 applicant shall be photographed, unless the Secretary of State  
18 has provided by rule for the issuance of identification cards  
19 without photographs and the applicant is deemed eligible for  
20 an identification card without a photograph under the terms  
21 and conditions imposed by the Secretary of State, and he or she  
22 shall also submit any other information as the Secretary may  
23 deem necessary or such documentation as the Secretary may  
24 require to determine the identity of the applicant. In  
25 addition to the residence address, the Secretary may allow the

1 applicant to provide a mailing address. If the applicant is a  
2 judicial officer as defined in Section 1-10 of the Judicial  
3 Privacy Act or a peace officer, the applicant may elect to have  
4 his or her office or work address in lieu of the applicant's  
5 residence or mailing address. An applicant for an Illinois  
6 Person with a Disability Identification Card must also submit  
7 with each original or renewal application, on forms prescribed  
8 by the Secretary, such documentation as the Secretary may  
9 require, establishing that the applicant is a "person with a  
10 disability" as defined in Section 4A of this Act, and setting  
11 forth the applicant's type and class of disability as set  
12 forth in Section 4A of this Act. For the purposes of this  
13 subsection (a), "peace officer" means any person who by virtue  
14 of his or her office or public employment is vested by law with  
15 a 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 (a-5) Upon the first issuance of a request for proposals  
20 for a digital driver's license and identification card  
21 issuance and facial recognition system issued after January 1,  
22 2020 (the effective date of Public Act 101-513), and upon  
23 implementation of a new or revised system procured pursuant to  
24 that request for proposals, the Secretary shall permit  
25 applicants to choose between "male", "female", or "non-binary"  
26 when designating the applicant's sex on the identification

1 card application form. The sex designated by the applicant  
2 shall be displayed on the identification card issued to the  
3 applicant.

4 (b) Beginning on or before July 1, 2015, for each original  
5 or renewal identification card application under this Act, the  
6 Secretary shall inquire as to whether the applicant is a  
7 veteran for purposes of issuing an identification card with a  
8 veteran designation under subsection (c-5) of Section 4 of  
9 this Act. The acceptable forms of proof shall include, but are  
10 not limited to, Department of Defense form DD-214, Department  
11 of Defense form DD-256 for applicants who did not receive a  
12 form DD-214 upon the completion of initial basic training,  
13 Department of Defense form DD-2 (Retired), an identification  
14 card issued under the federal Veterans Identification Card Act  
15 of 2015, or a United States Department of Veterans Affairs  
16 summary of benefits letter. If the document cannot be stamped,  
17 the Illinois Department of Veterans' Affairs shall provide a  
18 certificate to the veteran to provide to the Secretary of  
19 State. The Illinois Department of Veterans' Affairs shall  
20 advise the Secretary as to what other forms of proof of a  
21 person's status as a veteran are acceptable.

22 For each applicant who is issued an identification card  
23 with a veteran designation, the Secretary shall provide the  
24 Department of Veterans' Affairs with the applicant's name,  
25 address, date of birth, gender, and such other demographic  
26 information as agreed to by the Secretary and the Department.

1 The Department may take steps necessary to confirm the  
2 applicant is a veteran. If after due diligence, including  
3 writing to the applicant at the address provided by the  
4 Secretary, the Department is unable to verify the applicant's  
5 veteran status, the Department shall inform the Secretary, who  
6 shall notify the applicant that he or she must confirm status  
7 as a veteran, or the identification card will be cancelled.

8 For purposes of this subsection (b):

9 "Armed forces" means any of the Armed Forces of the United  
10 States, including a member of any reserve component or  
11 National Guard unit.

12 "Veteran" means a person who has served in the armed  
13 forces and was discharged or separated under honorable  
14 conditions.

15 (c) Each applicant ~~All applicants~~ for a REAL ID compliant  
16 standard Illinois Identification Card or Cards ~~and~~ Illinois  
17 Person with a Disability Identification Card ~~Cards~~ shall  
18 provide the applicant's legal name, residence address and zip  
19 code, birth date, and sex and a brief physical description of  
20 the applicant. ~~proof of lawful status in the United States as~~  
21 ~~defined in 6 CFR 37.3, as amended. Applicants who are unable to~~  
22 ~~provide the Secretary with proof of lawful status are~~  
23 ~~ineligible for REAL ID compliant identification cards under~~  
24 ~~this Act.~~

25 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;  
26 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)