



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2397

Introduced 2/10/2023, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Changes the term "non-compliant identification card" to "standard identification card". Changes the definition of "limited term REAL ID compliant identification card" to include cards that have been issued to an individual who has an approved application for asylum in the United States or has entered the United States in refugee status. Allows the Secretary of State to accept, as proof of date of birth and written signature of an applicant for a standard identification card, any passport from the applicant's country of citizenship or a consular identification document validly issued to an applicant. Prohibits the Secretary from releasing highly restricted personal information or personally identifying information or disclose documents to any immigration agent unless it is necessary to comply with a lawful court order, judicial warrant, or subpoena for individual records. Prohibits the Secretary from entering into or maintaining any agreement regarding the sharing of such information or documents. Provides that no temporary visitor's driver's licenses shall be issued after the effective date of the amendatory Act. Provides that every driver's license application shall state the social security number of the applicant; except if the applicant is applying for a standard driver's license and is ineligible for a social security number, then if the applicant has documentation authorizing the applicant's presence in the country, the applicant shall provide such documentation instead of a social security number. Provides that if applicant does not have documentation authorizing the applicant's presence in the country, the applicant must submit documentation establishing that the applicant has resided in the State for a period in excess of one year and a passport validly issued to the applicant from the applicant's country of citizenship. Makes conforming changes in those Acts and the Consular Identification Document Act and the Election Code. Effective January 1, 2024.

LRB103 30750 MXP 57230 b

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Consular Identification Document Act is
5 amended by changing Section 10 as follows:

6 (5 ILCS 230/10)

7 Sec. 10. Acceptance of consular identification document.

8 (a) When requiring members of the public to provide
9 identification, each State agency and officer and unit of
10 local government shall accept a consular identification
11 document as valid identification of a person.

12 (b) A consular identification document shall be accepted
13 for purposes of identification only and does not convey an
14 independent right to receive benefits of any type.

15 (c) A consular identification document may not be accepted
16 as identification for obtaining a REAL ID compliant driver's
17 license, as defined by Section 6-100 of the Vehicle Code,
18 ~~other than a temporary visitor's driver's license,~~ or
19 registering to vote.

20 (d) A consular identification document does not establish
21 or indicate lawful U.S. immigration status and may not be
22 viewed as valid for that purpose, nor does a consular
23 identification document establish a foreign national's right

1 to be in the United States or remain in the United States.

2 (e) The requirements of subsection (a) do not apply if:

3 (1) a federal law, regulation, or directive or a
4 federal court decision requires a State agency or officer
5 or a unit of local government to obtain different
6 identification;

7 (2) a federal law, regulation, or directive preempts
8 state regulation of identification requirements; or

9 (3) a State agency or officer or a unit of local
10 government would be unable to comply with a condition
11 imposed by a funding source which would cause the State
12 agency or officer or unit of local government to lose
13 funds from that source.

14 (f) Nothing in subsection (a) shall be construed to
15 prohibit a State agency or officer or a unit of local
16 government from:

17 (1) requiring additional information from persons in
18 order to verify a current address or other facts that
19 would enable the State agency or officer or unit of local
20 government to fulfill its responsibilities, except that
21 this paragraph (1) does not permit a State agency or
22 officer or a unit of local government to require
23 additional information solely in order to establish
24 identification of the person when the consular
25 identification document is the form of identification
26 presented;

1 (2) requiring fingerprints for identification purposes
2 under circumstances where the State agency or officer or
3 unit of local government also requires fingerprints from
4 persons who have a driver's license or Illinois
5 Identification Card; or

6 (3) requiring additional evidence of identification if
7 the State agency or officer or unit of local government
8 reasonably believes that: (A) the consular identification
9 document is forged, fraudulent, or altered; or (B) the
10 holder does not appear to be the same person on the
11 consular identification document.

12 (Source: P.A. 97-1157, eff. 11-28-13.)

13 Section 10. The Election Code is amended by changing
14 Section 1A-16.1 as follows:

15 (10 ILCS 5/1A-16.1)

16 Sec. 1A-16.1. Automatic voter registration; Secretary of
17 State.

18 (a) The Office of the Secretary of State and the State
19 Board of Elections, pursuant to an interagency contract and
20 jointly-adopted rules, shall establish an automatic voter
21 registration program that satisfies the requirements of this
22 Section and other applicable law.

23 (b) If an application, an application for renewal, a
24 change of address form, or a recertification form for a

1 driver's license, ~~other than a temporary visitor's driver's~~
2 ~~license,~~ or a State identification card issued by the Office
3 of the Secretary of State meets the requirements of the
4 federal REAL ID Act of 2005, then that application shall serve
5 as a dual-purpose application. The dual-purpose application
6 shall:

7 (1) also serve as an application to register to vote
8 in Illinois;

9 (2) allow an applicant to change his or her registered
10 residence address or name as it appears on the voter
11 registration rolls;

12 (3) provide the applicant with an opportunity to
13 affirmatively decline to register to vote or to change his
14 or her registered residence address or name by providing a
15 check box on the application form without requiring the
16 applicant to state the reason; and

17 (4) unless the applicant declines to register to vote
18 or change his or her registered residence address or name,
19 require the applicant to attest, by signature under
20 penalty of perjury as described in subsection (e) of this
21 Section, to meeting the qualifications to register to vote
22 in Illinois at his or her residence address as indicated
23 on his or her driver's license or identification card
24 dual-purpose application.

25 (b-5) If an application, an application for renewal, a
26 change of address form, or a recertification form for a

1 driver's license, ~~other than a temporary visitor's driver's~~
2 ~~license,~~ or a State identification card issued by the Office
3 of the Secretary of State, other than an application or form
4 that pertains to a standard driver's license or identification
5 card and does not list a social security number for the
6 applicant, does not meet the requirements of the federal REAL
7 ID Act of 2005, then that application shall serve as a
8 dual-purpose application. The dual-purpose application shall:

9 (1) also serve as an application to register to vote
10 in Illinois;

11 (2) allow an applicant to change his or her registered
12 residence address or name as it appears on the voter
13 registration rolls; and

14 (3) if the applicant chooses to register to vote or to
15 change his or her registered residence address or name,
16 then require the applicant to attest, by a separate
17 signature under penalty of perjury, to meeting the
18 qualifications to register to vote in Illinois at his or
19 her residence address as indicated on his or her
20 dual-purpose application.

21 (b-10) The Office of the Secretary of State shall clearly
22 and conspicuously inform each applicant in writing: (i) of the
23 qualifications to register to vote in Illinois, (ii) of the
24 penalties provided by law for submission of a false voter
25 registration application, (iii) that, unless the applicant
26 declines to register to vote or update his or her voter

1 registration, his or her dual-purpose application shall also
2 serve as both an application to register to vote and his or her
3 attestation that he or she meets the eligibility requirements
4 for voter registration, and that his or her application to
5 register to vote or update his or her registration will be
6 transmitted to the State Board of Elections for the purpose of
7 registering the person to vote at the residence address to be
8 indicated on his or her driver's license or identification
9 card, and (iv) that declining to register to vote is
10 confidential and will not affect any services the person may
11 be seeking from the Office of the Secretary of State.

12 (c) The Office of the Secretary of State shall review
13 information provided to the Office of the Secretary of State
14 by the State Board of Elections to inform each applicant for a
15 driver's license or permit, ~~other than a temporary visitor's~~
16 ~~driver's license,~~ or a State identification card issued by the
17 Office of the Secretary of State, other than an application or
18 form that pertains to a standard driver's license or
19 identification card and does not list a social security number
20 for the applicant, whether the applicant is currently
21 registered to vote in Illinois and, if registered, at what
22 address.

23 (d) The Office of the Secretary of State shall not require
24 an applicant for a driver's license or State identification
25 card to provide duplicate identification or information in
26 order to complete an application to register to vote or change

1 his or her registered residence address or name. Before
2 transmitting any personal information about an applicant to
3 the State Board of Elections, the Office of the Secretary of
4 State shall review its records of the identification documents
5 the applicant provided in order to complete the application
6 for a driver's license or State identification card, to
7 confirm that nothing in those documents indicates that the
8 applicant does not satisfy the qualifications to register to
9 vote in Illinois at his or her residence address.

10 (e) A completed, signed application for (i) a driver's
11 license or permit, ~~other than a temporary visitor's driver's~~
12 ~~license,~~ or a State identification card issued by the Office
13 of the Secretary of State, that meets the requirements of the
14 federal REAL ID Act of 2005; or (ii) a completed application
15 under subsection (b-5) of this Section with a separate
16 signature attesting the applicant meets the qualifications to
17 register to vote in Illinois at his or her residence address as
18 indicated on his or her application shall constitute a signed
19 application to register to vote in Illinois at the residence
20 address indicated in the application unless the person
21 affirmatively declined in the application to register to vote
22 or to change his or her registered residence address or name.
23 If the identification documents provided to complete the
24 dual-purpose application indicate that he or she does not
25 satisfy the qualifications to register to vote in Illinois at
26 his or her residence address, the application shall be marked

1 as incomplete.

2 (f) For each completed and signed application that
3 constitutes an application to register to vote in Illinois or
4 provides for a change in the applicant's registered residence
5 address or name, the Office of the Secretary of State shall
6 electronically transmit to the State Board of Elections
7 personal information needed to complete the person's
8 registration to vote in Illinois at his or her residence
9 address. The application to register to vote shall be
10 processed in accordance with Section 1A-16.7.

11 (g) If the federal REAL ID Act of 2005 is repealed,
12 abrogated, superseded, or otherwise no longer in effect, then
13 the State Board of Elections shall establish criteria for
14 determining reliable personal information indicating
15 citizenship status and shall adopt rules as necessary for the
16 Secretary of State to continue processing dual-purpose
17 applications under this Section.

18 (h) As used in this Section, "dual-purpose application"
19 means an application, an application for renewal, a change of
20 address form, or a recertification form for driver's license
21 or permit, ~~other than a temporary visitor's driver's license,~~
22 or a State identification card offered by the Secretary of
23 State, other than an application or form that pertains to a
24 standard driver's license or identification card and does not
25 list a social security number for the applicant, that also
26 serves as an application to register to vote in Illinois.

1 "Dual-purpose application" does not mean an application under
2 subsection (c) of Section 6-109 of the Illinois Vehicle Code.
3 (Source: P.A. 100-464, eff. 8-28-17.)

4 Section 15. The Illinois Identification Card Act is
5 amended by changing Sections 1A, 2, 4, 4D, 5, 8, and 11 as
6 follows:

7 (15 ILCS 335/1A)

8 Sec. 1A. Definitions. As used in this Act:

9 "Highly restricted personal information" means an
10 individual's photograph, signature, social security number,
11 and medical or disability information.

12 "Identification card making implement" means any material,
13 hardware, or software that is specifically designed for or
14 primarily used in the manufacture, assembly, issuance, or
15 authentication of an official identification card issued by
16 the Secretary of State.

17 "Fraudulent identification card" means any identification
18 card that purports to be an official identification card for
19 which a computerized number and file have not been created by
20 the Secretary of State, the United States Government or any
21 state or political subdivision thereof, or any governmental or
22 quasi-governmental organization. For the purpose of this Act,
23 any identification card that resembles an official
24 identification card in either size, color, photograph

1 location, or design or uses the word "official", "state",
2 "Illinois", or the name of any other state or political
3 subdivision thereof, or any governmental or quasi-governmental
4 organization individually or in any combination thereof to
5 describe or modify the term "identification card" or "I.D.
6 card" anywhere on the card, or uses a shape in the likeness of
7 Illinois or any other state on the photograph side of the card,
8 is deemed to be a fraudulent identification card unless the
9 words "This is not an official Identification Card", appear
10 prominently upon it in black colored lettering in 12-point
11 type on the photograph side of the card, and no such card shall
12 be smaller in size than 3 inches by 4 inches, and the
13 photograph shall be on the left side of the card only.

14 "Legal name" means the full given name and surname of an
15 individual as recorded at birth, recorded at marriage, or
16 deemed as the correct legal name for use in reporting income by
17 the Social Security Administration or the name as otherwise
18 established through legal action that appears on the
19 associated official document presented to the Secretary of
20 State.

21 "Personally identifying information" means information
22 that identifies an individual, including his or her
23 identification card number, name, address (but not the 5-digit
24 zip code), date of birth, height, weight, hair color, eye
25 color, email address, and telephone number.

26 "Homeless person" or "homeless individual" has the same

1 meaning as defined by the federal McKinney-Vento Homeless
2 Assistance Act, 42 U.S.C. 11302, or 42 U.S.C. 11434a(2).

3 "Youth for whom the Department of Children and Family
4 Services is legally responsible" or "foster child" means a
5 child or youth whose guardianship or custody has been accepted
6 by the Department of Children and Family Services pursuant to
7 the Juvenile Court Act of 1987, the Children and Family
8 Services Act, the Abused and Neglected Child Reporting Act,
9 and the Adoption Act. This applies to children for whom the
10 Department of Children and Family Services has temporary
11 protective custody, custody or guardianship via court order,
12 or children whose parents have signed an adoptive surrender or
13 voluntary placement agreement with the Department.

14 "REAL ID compliant identification card" means a standard
15 Illinois Identification Card or Illinois Person with a
16 Disability Identification Card issued in compliance with the
17 REAL ID Act and implementing regulations. REAL ID compliant
18 identification cards shall bear a security marking approved by
19 the United States Department of Homeland Security.

20 "Standard ~~Non-compliant~~ identification card" means a
21 standard Illinois Identification Card or Illinois Person with
22 a Disability Identification Card issued in a manner which is
23 not compliant with the REAL ID Act and implementing
24 regulations. Standard ~~Non-compliant~~ identification cards shall
25 be marked "Not for Federal Identification" and shall have a
26 color or design different from the REAL ID compliant

1 identification card.

2 "Limited Term REAL ID compliant identification card" means
3 a REAL ID compliant identification card that is issued to
4 persons who are not permanent residents or citizens of the
5 United States, or an individual who has an approved
6 application for asylum in the United States or has entered the
7 United States in refugee status, and is marked "Limited Term"
8 on the face of the card.

9 (Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17;
10 101-326, eff. 8-9-19.)

11 (15 ILCS 335/2) (from Ch. 124, par. 22)

12 Sec. 2. Administration and powers and duties of the
13 Administrator.

14 (a) The Secretary of State is the Administrator of this
15 Act, and he is charged with the duty of observing,
16 administering and enforcing the provisions of this Act.

17 (b) The Secretary is vested with the powers and duties for
18 the proper administration of this Act as follows:

19 1. He shall organize the administration of this Act as
20 he may deem necessary and appoint such subordinate
21 officers, clerks and other employees as may be necessary.

22 2. From time to time, he may make, amend or rescind
23 rules and regulations as may be in the public interest to
24 implement the Act.

25 3. He may prescribe or provide suitable forms as

1 necessary, including such forms as are necessary to
2 establish that an applicant for an Illinois Person with a
3 Disability Identification Card is a "person with a
4 disability" as defined in Section 4A of this Act, and
5 establish that an applicant for a State identification
6 card is a "homeless person" as defined in Section 1A of
7 this Act.

8 4. He may prepare under the seal of the Secretary of
9 State certified copies of any records utilized under this
10 Act and any such certified copy shall be admissible in any
11 proceeding in any court in like manner as the original
12 thereof.

13 5. Records compiled under this Act shall be maintained
14 for 6 years, but the Secretary may destroy such records
15 with the prior approval of the State Records Commission.

16 6. He shall examine and determine the genuineness,
17 regularity and legality of every application filed with
18 him under this Act, and he may in all cases investigate the
19 same, require additional information or proof or
20 documentation from any applicant.

21 7. He shall require the payment of all fees prescribed
22 in this Act, and all such fees received by him shall be
23 placed in the Road Fund of the State treasury except as
24 otherwise provided in Section 12 of this Act. Whenever any
25 application to the Secretary for an identification card
26 under this Act is accompanied by any fee, as required by

1 law, and the application is denied after a review of
2 eligibility, which may include facial recognition
3 comparison, the applicant shall not be entitled to a
4 refund of any fees paid.

5 8. Beginning July 1, 2017, he shall refuse to issue a
6 REAL ID compliant identification card under this Act to
7 any person who has been issued a REAL ID compliant
8 driver's license under the Illinois Vehicle Code. Any such
9 person may, at his or her discretion, surrender the REAL
10 ID compliant driver's license in order to become eligible
11 to obtain a REAL ID compliant identification card.

12 9. The Secretary may issue both REAL ID compliant
13 identification cards and standard ~~non-compliant~~
14 identification cards, and may permit applicants to
15 designate which type of identification card they wish to
16 receive. All provisions of this Act applicable to standard
17 ~~non-compliant~~ identification cards shall also apply to
18 REAL ID compliant identification cards, except where the
19 provisions are inconsistent with the REAL ID Act and
20 implementing regulations. The Secretary shall establish by
21 rule the date on which issuance of REAL ID compliant
22 identification cards will begin.

23 (Source: P.A. 99-143, eff. 7-27-15; 99-305, eff. 1-1-16;
24 99-511, eff. 1-1-17; 99-642, eff. 7-28-16; 100-248, eff.
25 8-22-17.)

1 (15 ILCS 335/4) (from Ch. 124, par. 24)

2 Sec. 4. Identification card.

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

24 (a-5) If an applicant for an identification card has a
25 current driver's license or instruction permit issued by the
26 Secretary of State, the Secretary may require the applicant to

1 utilize the same residence address and name on the
2 identification card, driver's license, and instruction permit
3 records maintained by the Secretary. The Secretary may
4 promulgate rules to implement this provision.

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

17 (a-15) The Secretary of State may provide for an expedited
18 process for the issuance of an Illinois Identification Card.
19 The Secretary shall charge an additional fee for the expedited
20 issuance of an Illinois Identification Card, to be set by
21 rule, not to exceed \$75. All fees collected by the Secretary
22 for expedited Illinois Identification Card service shall be
23 deposited into the Secretary of State Special Services Fund.
24 The Secretary may adopt rules regarding the eligibility,
25 process, and fee for an expedited Illinois Identification
26 Card. If the Secretary of State determines that the volume of

1 expedited identification card requests received on a given day
2 exceeds the ability of the Secretary to process those requests
3 in an expedited manner, the Secretary may decline to provide
4 expedited services, and the additional fee for the expedited
5 service shall be refunded to the applicant.

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

21 (a-25) The Secretary of State shall issue a limited-term
22 Illinois Identification Card valid for 90 days to a committed
23 person upon release on parole, mandatory supervised release,
24 aftercare release, final discharge, or pardon from the
25 Department of Corrections or Department of Juvenile Justice,
26 if the released person is unable to present a certified copy of

1 his or her birth certificate and social security card, if the
2 person has one, or other documents authorized by the
3 Secretary, but does present a Secretary of State prescribed
4 verification form completed by the Department of Corrections
5 or Department of Juvenile Justice, verifying the released
6 person's date of birth and social security number, if the
7 person has one, and 2 documents proving his or her Illinois
8 residence address. The verification form must have been
9 completed no more than 30 days prior to the date of application
10 for the Illinois Identification Card. Documents proving
11 residence address shall include any official document of the
12 Department of Corrections or the Department of Juvenile
13 Justice showing the person's address after release and a
14 Secretary of State prescribed certificate of residency, which
15 may be executed by Department of Corrections or Department of
16 Juvenile Justice personnel.

17 Prior to the expiration of the 90-day period of the
18 limited-term Illinois Identification Card, if the released
19 person submits to the Secretary of State a certified copy of
20 his or her birth certificate and his or her social security
21 card, if the person has one, or other documents authorized by
22 the Secretary, a standard Illinois Identification Card shall
23 be issued. A limited-term Illinois Identification Card may not
24 be renewed.

25 (a-30) The Secretary of State shall issue a standard
26 Illinois Identification Card to a person upon conditional

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

16 (a-35) The Secretary of State shall issue a limited-term
17 Illinois Identification Card valid for 90 days to a person
18 upon conditional release or absolute discharge from the
19 custody of the Department of Human Services, if the person is
20 unable to present a certified copy of his or her birth
21 certificate and social security card, if the person has one,
22 or other documents authorized by the Secretary, but does
23 present a Secretary of State prescribed verification form
24 completed by the Department of Human Services, verifying the
25 person's date of birth and social security number, if the
26 person has one, and a document proving his or her Illinois

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

14 (b) The Secretary of State shall issue a special Illinois
15 Identification Card, which shall be known as an Illinois
16 Person with a Disability Identification Card, to any natural
17 person who is a resident of the State of Illinois, who is a
18 person with a disability as defined in Section 4A of this Act,
19 who applies for such card, or renewal thereof. No Illinois
20 Person with a Disability Identification Card shall be issued
21 to any person who holds a valid foreign state identification
22 card, license, or permit unless the person first surrenders to
23 the Secretary of State the valid foreign state identification
24 card, license, or permit. The Secretary of State shall charge
25 no fee to issue such card. The card shall be prepared and
26 supplied by the Secretary of State, and shall include a

1 photograph and signature or mark of the applicant, a
2 designation indicating that the card is an Illinois Person
3 with a Disability Identification Card, and shall include a
4 comprehensible designation of the type and classification of
5 the applicant's disability as set out in Section 4A of this
6 Act. However, the Secretary of State may provide by rule for
7 the issuance of Illinois Person with a Disability
8 Identification Cards without photographs if the applicant has
9 a bona fide religious objection to being photographed or to
10 the display of his or her photograph. If the applicant so
11 requests, the card shall include a description of the
12 applicant's disability and any information about the
13 applicant's disability or medical history which the Secretary
14 determines would be helpful to the applicant in securing
15 emergency medical care. If a mark is used in lieu of a
16 signature, such mark shall be affixed to the card in the
17 presence of two witnesses who attest to the authenticity of
18 the mark. The Illinois Person with a Disability Identification
19 Card may be used for identification purposes in any lawful
20 situation by the person to whom it was issued.

21 The Illinois Person with a Disability Identification Card
22 may be used as adequate documentation of disability in lieu of
23 a physician's determination of disability, a determination of
24 disability from a physician assistant, a determination of
25 disability from an advanced practice registered nurse, or any
26 other documentation of disability whenever any State law

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

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

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

24 (c) The Secretary of State shall provide that each
25 original or renewal Illinois Identification Card or Illinois
26 Person with a Disability Identification Card issued to a

1 person under the age of 21 shall be of a distinct nature from
2 those Illinois Identification Cards or Illinois Person with a
3 Disability Identification Cards issued to individuals 21 years
4 of age or older. The color designated for Illinois
5 Identification Cards or Illinois Person with a Disability
6 Identification Cards for persons under the age of 21 shall be
7 at the discretion of the Secretary of State.

8 (c-1) Each original or renewal Illinois Identification
9 Card or Illinois Person with a Disability Identification Card
10 issued to a person under the age of 21 shall display the date
11 upon which the person becomes 18 years of age and the date upon
12 which the person becomes 21 years of age.

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

1 unrelated to the purpose of the identification card.

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

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

20 (e) The Secretary of State, in his or her discretion, may
21 designate on each Illinois Identification Card or Illinois
22 Person with a Disability Identification Card a space where the
23 card holder may place a sticker or decal, issued by the
24 Secretary of State, of uniform size as the Secretary may
25 specify, that shall indicate in appropriate language that the
26 card holder has renewed his or her Illinois Identification

1 Card or Illinois Person with a Disability Identification Card.
2 (Source: P.A. 102-299, eff. 8-6-21.)

3 (15 ILCS 335/4D)

4 Sec. 4D. Issuance of confidential identification cards.

5 (a) Requirements for use of confidential identification
6 cards. Confidential identification cards may be issued to
7 local, state, and federal government agencies for bona fide
8 law enforcement purposes. The identification cards may be
9 issued in fictitious names and addresses, and may be used only
10 in confidential, investigative, or undercover law enforcement
11 operations. Confidential identification cards may be issued as
12 REAL ID compliant or standard ~~non-compliant~~ identification
13 cards.

14 (b) Application procedures for confidential identification
15 cards:

16 (1) Applications by local, state, and federal
17 government agencies for confidential identification cards
18 must be made to the Secretary of State Police Department
19 on a form and in a manner prescribed by the Secretary of
20 State Police Department.

21 (2) The application form must include information, as
22 specific as possible without compromising investigations
23 or techniques, setting forth the need for the
24 identification cards and the uses to which the
25 identification cards will be limited.

1 (3) The application form must be signed and verified
2 by the local, state, or federal government agency head or
3 designee.

4 (4) Information maintained by the Secretary of State
5 Police Department for confidential identification cards
6 must show the fictitious names and addresses on all
7 records subject to public disclosure. All other
8 information concerning these confidential identification
9 cards are exempt from disclosure unless the disclosure is
10 ordered by a court of competent jurisdiction.

11 (c) Cancellation procedures for confidential
12 identification cards:

13 (1) The Secretary of State Police Department may
14 cancel or refuse to renew confidential identification
15 cards when they have reasonable cause to believe the cards
16 are being used for purposes other than those set forth in
17 the application form or authorized by this Section.

18 (2) A government agency must request cancellation of
19 confidential identification cards that are no longer
20 required for the purposes for which they were issued.

21 (3) Upon the request of the Secretary of State Police
22 Department, all cancelled confidential identification
23 cards must be promptly returned to the Secretary of State
24 Police Department by the government agency to which they
25 were issued.

26 (Source: P.A. 100-248, eff. 8-22-17.)

1 (15 ILCS 335/5) (from Ch. 124, par. 25)

2 Sec. 5. Applications.

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

1 renewal application, on forms prescribed by the Secretary,
2 such documentation as the Secretary may require, establishing
3 that the applicant is a "person with a disability" as defined
4 in Section 4A of this Act, and setting forth the applicant's
5 type and class of disability as set forth in Section 4A of this
6 Act. For the purposes of this subsection (a), "peace officer"
7 means any person who by virtue of his or her office or public
8 employment is vested by law with a duty to maintain public
9 order or to make arrests for a violation of any penal statute
10 of this State, whether that duty extends to all violations or
11 is limited to specific violations.

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

23 (b) Beginning on or before July 1, 2015, for each original
24 or renewal identification card application under this Act, the
25 Secretary shall inquire as to whether the applicant is a
26 veteran for purposes of issuing an identification card with a

1 veteran designation under subsection (c-5) of Section 4 of
2 this Act. The acceptable forms of proof shall include, but are
3 not limited to, Department of Defense form DD-214, Department
4 of Defense form DD-256 for applicants who did not receive a
5 form DD-214 upon the completion of initial basic training,
6 Department of Defense form DD-2 (Retired), an identification
7 card issued under the federal Veterans Identification Card Act
8 of 2015, or a United States Department of Veterans Affairs
9 summary of benefits letter. If the document cannot be stamped,
10 the Illinois Department of Veterans' Affairs shall provide a
11 certificate to the veteran to provide to the Secretary of
12 State. The Illinois Department of Veterans' Affairs shall
13 advise the Secretary as to what other forms of proof of a
14 person's status as a veteran are acceptable.

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

1 For purposes of this subsection (b):

2 "Armed forces" means any of the Armed Forces of the United
3 States, including a member of any reserve component or
4 National Guard unit.

5 "Veteran" means a person who has served in the armed
6 forces and was discharged or separated under honorable
7 conditions.

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

15 (d) The Secretary of State may accept, as proof of date of
16 birth and written signature for any applicant for a standard
17 identification card, any passport validly issued to the
18 applicant from the applicant's country of citizenship or a
19 consular identification document validly issued to the
20 applicant by a consulate of that country as defined in Section
21 5 of the Consular Identification Document Act.

22 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;
23 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

24 (15 ILCS 335/8) (from Ch. 124, par. 28)

25 Sec. 8. Expiration.

1 (a) Except as otherwise provided in this Section:

2 (1) Every identification card issued hereunder, except
3 to persons who have reached their 15th birthday, but are
4 not yet 21 years of age, persons who are 65 years of age or
5 older, and persons who are issued an Illinois Person with
6 a Disability Identification Card, shall expire 5 years
7 from the ensuing birthday of the applicant and a renewal
8 shall expire 5 years thereafter.

9 (2) Every original or renewal identification card
10 issued to a person who has reached his or her 15th
11 birthday, but is not yet 21 years of age shall expire 3
12 months after the person's 21st birthday.

13 (b) Except as provided elsewhere in this Section, every
14 original, renewal, or duplicate: (i) non-REAL ID
15 identification card issued to a person who has reached his or
16 her 65th birthday shall be permanent and need not be renewed;
17 (ii) REAL ID compliant identification card issued on or after
18 July 1, 2017, to a person who has reached his or her 65th
19 birthday shall expire 8 years thereafter; (iii) non-REAL ID
20 Illinois Person with a Disability Identification Card issued
21 to a qualifying person shall expire 10 years thereafter; and
22 (iv) REAL ID compliant Illinois Person with a Disability
23 Identification Card issued on or after July 1, 2017, shall
24 expire 8 years thereafter. The Secretary of State shall
25 promulgate rules setting forth the conditions and criteria for
26 the renewal of all Illinois Person with a Disability

1 Identification Cards.

2 (c) Every REAL ID compliant identification card or REAL ID
3 compliant Illinois Person with a Disability Identification
4 Card issued under this Act to an applicant who is not a United
5 States citizen or permanent resident, or an individual who has
6 an approved application for asylum in the United States or has
7 entered the United States in refugee status, shall be marked
8 "Limited Term" and shall expire on whichever is the earlier
9 date of the following:

10 (1) as provided under subsection (a) or (b) of this
11 Section;

12 (2) on the date the applicant's authorized stay in the
13 United States terminates; or

14 (3) if the applicant's authorized stay is indefinite
15 ~~and the applicant is applying for a Limited Term REAL ID~~
16 ~~compliant identification card~~, one year from the date of
17 issuance of the card.

18 (d) (Blank). ~~Every REAL ID compliant identification card~~
19 ~~or REAL ID compliant Person with a Disability Identification~~
20 ~~Card issued under this Act to an applicant who is not a United~~
21 ~~States citizen or permanent resident, or an individual who has~~
22 ~~an approved application for asylum in the United States or has~~
23 ~~entered the United States in refugee status, shall be marked~~
24 ~~"Limited Term"~~.

25 (Source: P.A. 101-185, eff. 1-1-20; 102-659, eff. 1-1-22.)

1 (15 ILCS 335/11) (from Ch. 124, par. 31)

2 Sec. 11. Records.

3 (a) The Secretary may make a search of his records and
4 furnish information as to whether a person has a current
5 Standard Illinois Identification Card or an Illinois Person
6 with a Disability Identification Card then on file, upon
7 receipt of a written application therefor accompanied with the
8 prescribed fee. However, the Secretary may not disclose
9 medical information concerning an individual to any person,
10 public agency, private agency, corporation or governmental
11 body unless the individual has submitted a written request for
12 the information or unless the individual has given prior
13 written consent for the release of the information to a
14 specific person or entity. This exception shall not apply to:
15 (1) offices and employees of the Secretary who have a need to
16 know the medical information in performance of their official
17 duties, or (2) orders of a court of competent jurisdiction.
18 When medical information is disclosed by the Secretary in
19 accordance with the provisions of this Section, no liability
20 shall rest with the Office of the Secretary of State as the
21 information is released for informational purposes only.

22 (b) Except as otherwise provided in this Section, the
23 Secretary may release personally identifying information only
24 to:

25 (1) officers and employees of the Secretary who have a
26 need to know that information for issuance of driver's

1 licenses, permits, or identification cards and
2 investigation of fraud or misconduct;

3 (2) other governmental agencies for use in their
4 official governmental functions;

5 (3) law enforcement agencies for a criminal or civil
6 investigation, except as restricted by subsections (g) and
7 (h);

8 (3-5) the State Board of Elections as may be required
9 by an agreement the State Board of Elections has entered
10 into with a multi-state voter registration list
11 maintenance system; or

12 (4) any entity that the Secretary has authorized, by
13 rule.

14 (c) Except as otherwise provided in this Section, the
15 Secretary may release highly restricted personal information
16 only to:

17 (1) officers and employees of the Secretary who have a
18 need to access the information for the issuance of
19 driver's licenses, permits, or identification cards and
20 investigation of fraud or misconduct;

21 (2) law enforcement officials for a criminal or civil
22 law enforcement investigation, except as restricted by
23 subsections (g) and (h);

24 (3) the State Board of Elections for the purpose of
25 providing the signature for completion of voter
26 registration; or

1 (4) any other entity the Secretary has authorized by
2 rule.

3 (d) Documents required to be submitted with an application
4 for an identification card to prove the applicant's identity
5 (name and date of birth), social security number or lack of a
6 social security number, written signature, residency, and, as
7 applicable, citizenship and immigration ~~proof of lawful~~ status
8 and country of citizenship shall be confidential and shall not
9 be disclosed except to the following persons:

10 (1) the individual to whom the identification card was
11 issued, upon written request;

12 (2) officers and employees of the Secretary of State
13 who have a need to have access to the stored images for
14 purposes of issuing and controlling driver's licenses,
15 permits, or identification cards and investigation of
16 fraud or misconduct;

17 (3) law enforcement officials for a civil or criminal
18 law enforcement investigation, except as restricted by
19 subsections (g) and (h);

20 (4) other entities that the Secretary may authorize by
21 rule.

22 (e) The Secretary may not disclose an individual's social
23 security number or any associated information obtained from
24 the Social Security Administration without the written request
25 or consent of the individual except: (i) to officers and
26 employees of the Secretary who have a need to know the social

1 security number in the performance of their official duties;
2 (ii) except as restricted by subsections (g) and (h) to law
3 enforcement officials for a civil or criminal law enforcement
4 investigation if an officer of the law enforcement agency has
5 made a written request to the Secretary specifying the law
6 enforcement investigation for which the social security number
7 is being sought; (iii) under a lawful court order signed by a
8 judge; (iv) to the Illinois Department of Veterans' Affairs
9 for the purpose of confirming veteran status to agencies in
10 other states responsible for the issuance of state
11 identification cards for participation in State-to-State
12 verification service; or (v) the last 4 digits to the Illinois
13 State Board of Elections for purposes of voter registration
14 and as may be required pursuant to an agreement for a
15 multi-state voter registration list maintenance system. The
16 Secretary retains the right to require additional verification
17 regarding the validity of a request from law enforcement. If
18 social security information is disclosed by the Secretary in
19 accordance with this Section, no liability shall rest with the
20 Office of the Secretary of State or any of its officers or
21 employees, as the information is released for official
22 purposes only.

23 (f) The Secretary of State shall not provide facial
24 recognition search services or photographs obtained in the
25 process of issuing an identification card to any federal,
26 State, or local law enforcement agency or other governmental

1 entity for the purpose of enforcing federal immigration laws.
2 This subsection shall not apply to requests from federal,
3 State, or local law enforcement agencies or other governmental
4 entities for facial recognition search services or photographs
5 obtained in the process of issuing a driver's license or
6 permit when the purpose of the request relates to criminal
7 activity other than violations of immigration laws.

8 (g) Notwithstanding any other provision of law, the
9 Secretary may not release highly restricted personal
10 information or personally identifying information or disclose
11 documents described in subsection (d) to any immigration
12 agent, as defined in Section 10 of the Illinois TRUST Act,
13 unless necessary to comply with any of the following to the
14 extent that production of such information or documents are
15 specifically required:

16 (1) a lawful court order;

17 (2) a judicial warrant signed by a judge appointed
18 pursuant to Article III of the Constitution of the United
19 States; or

20 (3) a subpoena for individual records issued by a
21 federal or State court.

22 When responding to such a court order, warrant, or
23 subpoena, the Secretary shall disclose only those documents or
24 information specifically requested. Within 3 business days of
25 receiving such a court order, warrant, or subpoena, the
26 Secretary shall send a notification to the individual about

1 whom such information was requested that a court order,
2 warrant, or subpoena was received and the identity of the
3 entity that presented the court order, warrant, or subpoena.

4 (h) The Secretary shall not enter into or maintain any
5 agreement regarding the sharing of any highly restricted
6 personal information or personally identifying information or
7 documents described in subsection (d) unless all other parties
8 to such agreement certify that the information obtained will
9 not be used for civil immigration purposes or knowingly
10 disseminated to any third party for any purpose related to
11 civil immigration enforcement.

12 (Source: P.A. 101-326, eff. 8-9-19; 102-354, eff. 8-13-21.)

13 Section 20. The Illinois Vehicle Code is amended by
14 changing Sections 6-100, 6-100.5, 6-105.1, 6-106, 6-110.1,
15 6-110.2, 6-115, 6-121, and 6-122 and by adding Section 6-110.3
16 as follows:

17 (625 ILCS 5/6-100) (from Ch. 95 1/2, par. 6-100)

18 Sec. 6-100. Definitions. For the purposes of this Chapter,
19 the following words shall have the meanings ascribed to them:

20 (a) Application Process. The process of obtaining a
21 driver's license, identification card, or permit. The process
22 begins when a person enters a Secretary of State Driver
23 Services facility and requests a driver's license,
24 identification card or permit.

1 (b) Conviction. A final adjudication of guilty by a court
2 of competent jurisdiction either after a bench trial, trial by
3 jury, plea of guilty, order of forfeiture, or default.

4 (c) Identification Card. A document made or issued by or
5 under the authority of the United States Government, the State
6 of Illinois or any other state or political subdivision
7 thereof, or any governmental or quasi-governmental
8 organization that, when completed with information concerning
9 the individual, is of a type intended or commonly accepted for
10 the purpose of identifying the individual.

11 (d) Standard ~~Non-compliant~~ driver's license. A driver's
12 license issued in a manner which is not compliant with the REAL
13 ID Act and implementing regulations. Standard ~~Non-compliant~~
14 driver's licenses shall be marked "Federal Limits Apply" ~~"Not~~
15 ~~for Federal Identification"~~ and shall have a color or design
16 different from the REAL ID compliant driver's license.

17 (e) REAL ID compliant driver's license. A driver's license
18 issued in compliance with the REAL ID Act and implementing
19 regulations. REAL ID compliant driver's licenses shall bear a
20 security marking approved by the United States Department of
21 Homeland Security.

22 (f) Limited Term REAL ID compliant driver's license. A
23 REAL ID compliant driver's license issued in compliance with
24 subsection (a-5) of Section 6-115 ~~to a person who is not a~~
25 ~~permanent resident or citizen of the United States,~~ and marked
26 "Limited Term" on the face of the license.

1 (Source: P.A. 100-248, eff. 8-22-17.)

2 (625 ILCS 5/6-100.5)

3 Sec. 6-100.5. Issuance of REAL ID compliant and standard
4 ~~non-compliant~~ driver's licenses. The Secretary of State may
5 issue both REAL ID compliant driver's licenses and standard
6 ~~non-compliant~~ driver's licenses, and may permit applicants to
7 designate which type of driver's license they wish to receive.
8 All provisions of this Code applicable to standard
9 ~~non-compliant~~ driver's licenses shall also apply to REAL ID
10 compliant driver's licenses, except where the provisions are
11 inconsistent with the REAL ID Act and implementing
12 regulations. The Secretary shall establish by rule the date on
13 which issuance of REAL ID compliant driver's licenses will
14 begin.

15 (Source: P.A. 100-248, eff. 8-22-17.)

16 (625 ILCS 5/6-105.1)

17 Sec. 6-105.1. Temporary visitor's driver's license.

18 (a) The Secretary of State may issue a temporary visitor's
19 driver's license to a foreign national who (i) resides in this
20 State, (ii) is ineligible to obtain a social security number,
21 and (iii) presents to the Secretary documentation, issued by
22 United States Citizenship and Immigration Services,
23 authorizing the person's presence in this country.

24 (a-5) The Secretary of State may issue a temporary

1 visitor's driver's license to an applicant who (i) has resided
2 in this State for a period in excess of one year, (ii) is
3 ineligible to obtain a social security number, and (iii) is
4 unable to present documentation issued by the United States
5 Citizenship and Immigration Services authorizing the person's
6 presence in this country. The applicant shall submit a valid
7 unexpired passport from the applicant's country of citizenship
8 or a valid unexpired consular identification document issued
9 by a consulate of that country as defined in Section 5 of the
10 Consular Identification Document Act (5 ILCS 230/5).

11 (a-10) Applicants for a temporary visitor's driver's
12 license who are under 18 years of age at the time of
13 application shall be subject to the provisions of Sections
14 6-107 and 6-108 of this Code.

15 (b) A temporary visitor's driver's license issued under
16 subsection (a) is valid for 3 years, or for the period of time
17 the individual is authorized to remain in this country,
18 whichever ends sooner. A temporary visitor's driver's license
19 issued under subsection (a-5) shall be valid for a period of 3
20 years.

21 (b-5) A temporary visitor's driver's license issued under
22 this Section may not be accepted for proof of the holder's
23 identity. A temporary visitor's driver's license issued under
24 this Section shall contain a notice on its face, in
25 capitalized letters, stating that the temporary visitor's
26 driver's license may not be accepted for proof of identity.

1 (c) The Secretary shall adopt rules for implementing this
2 Section, including rules:

3 (1) regarding the design and content of the temporary
4 visitor's driver's license;

5 (2) establishing criteria for proof of identification
6 and residency of an individual applying under subsection
7 (a-5);

8 (3) designating acceptable evidence that an applicant
9 is not eligible for a social security number; and

10 (4) regarding the issuance of temporary visitor's
11 instruction permits.

12 (d) Any person to whom the Secretary of State may issue a
13 temporary visitor's driver's license shall be subject to any
14 and all provisions of this Code and any and all implementing
15 regulations issued by the Secretary of State to the same
16 extent as any person issued a driver's license, unless
17 otherwise provided in this Code or by administrative rule,
18 including but not limited to the examination requirements in
19 Section 6-109 as well as the mandatory insurance requirements
20 and penalties set forth in Article VI of Chapter 7 of this
21 Code.

22 (d-5) A temporary visitor's driver's license is invalid if
23 the holder is unable to provide proof of liability insurance
24 as required by Section 7-601 of this Code upon the request of a
25 law enforcement officer, in which case the holder commits a
26 violation of Section 6-101 of this Code.

1 (e) Temporary visitor's driver's licenses shall be issued
2 from a central location after the Secretary of State has
3 verified the information provided by the applicant.

4 (f) There is created in the State treasury a special fund
5 to be known as the Driver Services Administration Fund. All
6 fees collected for the issuance of temporary visitor's
7 driver's licenses shall be deposited into the Fund. These
8 funds shall, subject to appropriation, be used by the Office
9 of the Secretary of State for costs related to the issuance of
10 temporary visitor's driver's licenses, and other operational
11 costs, including personnel, facilities, computer programming,
12 and data transmission.

13 (g) No temporary visitor's driver's licenses shall be
14 issued after the effective date of this amendatory Act of the
15 103rd General Assembly.

16 (Source: P.A. 97-1157, eff. 11-28-13.)

17 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

19 (a) Every application for any permit or license authorized
20 to be issued under this Code shall be made upon a form
21 furnished by the Secretary of State. Every application shall
22 be accompanied by the proper fee and payment of such fee shall
23 entitle the applicant to not more than 3 attempts to pass the
24 examination within a period of one year after the date of
25 application.

1 (b) Every application shall state the legal name, ~~social~~
2 ~~security number~~, zip code, date of birth, sex, and residence
3 address of the applicant; briefly describe the applicant;
4 state whether the applicant has theretofore been licensed as a
5 driver, and, if so, when and by what state or country, and
6 whether any such license has ever been cancelled, suspended,
7 revoked or refused, and, if so, the date and reason for such
8 cancellation, suspension, revocation or refusal; shall include
9 an affirmation by the applicant that all information set forth
10 is true and correct; and shall bear the applicant's signature.
11 In addition to the residence address, the Secretary may allow
12 the applicant to provide a mailing address. In the case of an
13 applicant who is a judicial officer or peace officer, the
14 Secretary may allow the applicant to provide an office or work
15 address in lieu of a residence or mailing address. The
16 application form may also require the statement of such
17 additional relevant information as the Secretary of State
18 shall deem necessary to determine the applicant's competency
19 and eligibility. The Secretary of State may, in his
20 discretion, by rule or regulation, provide that an application
21 for a drivers license or permit may include a suitable
22 photograph of the applicant in the form prescribed by the
23 Secretary, and he may further provide that each drivers
24 license shall include a photograph of the driver. The
25 Secretary of State may utilize a photograph process or system
26 most suitable to deter alteration or improper reproduction of

1 a drivers license and to prevent substitution of another photo
2 thereon. For the purposes of this subsection (b), "peace
3 officer" means any person who by virtue of his or her office or
4 public employment is vested by law with a duty to maintain
5 public order or to make arrests for a violation of any penal
6 statute of this State, whether that duty extends to all
7 violations or is limited to specific violations.

8 (b-1) Every application shall state the social security
9 number of the applicant; except if the applicant is applying
10 for a standard driver's license and is ineligible for a social
11 security number, then:

12 (1) if the applicant has documentation, issued by the
13 United States Department of Homeland Security, authorizing
14 the applicant's presence in this country, the applicant
15 shall provide such documentation instead of a social
16 security number; and

17 (2) if the applicant does not have documentation
18 described in paragraph (1), the applicant shall provide,
19 instead of a social security number, the following:

20 (A) documentation establishing that the applicant
21 has resided in this State for a period in excess of one
22 year; and

23 (B) a passport validly issued to the applicant
24 from the applicant's country of citizenship or a
25 consular identification document validly issued to the
26 applicant by a consulate of that country as defined in

1 Section 5 of the Consular Identification Document Act.

2 (b-3) Upon the first issuance of a request for proposals
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 driver's license
10 application form. The sex designated by the applicant shall be
11 displayed on the driver's license issued to the applicant.

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

18 (b-7) The Secretary of State may accept, as proof of date
19 of birth and written signature for any applicant for a
20 standard driver's license, any passport validly issued to the
21 applicant from the applicant's country of citizenship or a
22 consular identification document validly issued to the
23 applicant by a consulate of that country as defined in Section
24 5 of the Consular Identification Document Act.

25 (c) The application form shall include a notice to the
26 applicant of the registration obligations of sex offenders

1 under the Sex Offender Registration Act. The notice shall be
2 provided in a form and manner prescribed by the Secretary of
3 State. For purposes of this subsection (c), "sex offender" has
4 the meaning ascribed to it in Section 2 of the Sex Offender
5 Registration Act.

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

25 (e) Beginning on or before July 1, 2015, for each original
26 or renewal driver's license application under this Code, the

1 Secretary shall inquire as to whether the applicant is a
2 veteran for purposes of issuing a driver's license with a
3 veteran designation under subsection (e-5) of Section 6-110 of
4 this Code. The acceptable forms of proof shall include, but
5 are not limited to, Department of Defense form DD-214,
6 Department of Defense form DD-256 for applicants who did not
7 receive a form DD-214 upon the completion of initial basic
8 training, Department of Defense form DD-2 (Retired), an
9 identification card issued under the federal Veterans
10 Identification Card Act of 2015, or a United States Department
11 of Veterans Affairs summary of benefits letter. If the
12 document cannot be stamped, the Illinois Department of
13 Veterans' Affairs shall provide a certificate to the veteran
14 to provide to the Secretary of State. The Illinois Department
15 of Veterans' Affairs shall advise the Secretary as to what
16 other forms of proof of a person's status as a veteran are
17 acceptable.

18 For each applicant who is issued a driver's license with a
19 veteran designation, the Secretary shall provide the
20 Department of Veterans' Affairs with the applicant's name,
21 address, date of birth, gender and such other demographic
22 information as agreed to by the Secretary and the Department.
23 The Department may take steps necessary to confirm the
24 applicant is a veteran. If after due diligence, including
25 writing to the applicant at the address provided by the
26 Secretary, the Department is unable to verify the applicant's

1 veteran status, the Department shall inform the Secretary, who
2 shall notify the applicant that he or she must confirm status
3 as a veteran, or the driver's license will be cancelled.

4 For purposes of this subsection (e):

5 "Armed forces" means any of the Armed Forces of the United
6 States, including a member of any reserve component or
7 National Guard unit.

8 "Veteran" means a person who has served in the armed
9 forces and was discharged or separated under honorable
10 conditions.

11 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;
12 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

13 (625 ILCS 5/6-110.1)

14 Sec. 6-110.1. Confidentiality of captured photographs or
15 images.

16 (a) The Secretary of State shall maintain a file on or
17 contract to file all photographs and signatures obtained in
18 the process of issuing a driver's license, permit, or
19 identification card. Except as otherwise provided in this
20 Section, the photographs and signatures shall be confidential
21 and shall not be disclosed except to the following persons:

22 (1) the individual to whom the driver's license or
23 permit was issued, upon written request;

24 (2) officers and employees of the Secretary of State
25 who have a need to have access to the stored images for

1 purposes of issuing and controlling driver's licenses,
2 permits, or identification cards and investigation of
3 fraud or misconduct;

4 (3) law enforcement officials for a civil or criminal
5 law enforcement investigation, except as restricted by
6 section 6-110.3;

7 (3-5) the State Board of Elections for the sole
8 purpose of providing the signatures required by a local
9 election authority to register a voter through an online
10 voter registration system;

11 (3-10) officers and employees of the Secretary of
12 State who have a need to have access to the stored images
13 for purposes of issuing and controlling notary public
14 commissions and for the purpose of providing the
15 signatures required to process online applications for
16 appointment and commission as notaries public; or

17 (4) other entities that the Secretary may authorize by
18 rule.

19 (b) The Secretary of State shall not provide facial
20 recognition search services or photographs obtained in the
21 process of issuing a driver's license or permit to any
22 federal, State, or local law enforcement agency or other
23 governmental entity for the purpose of enforcing federal
24 immigration laws. This subsection shall not apply to requests
25 from federal, State, or local law enforcement agencies or
26 other governmental entities for facial recognition search

1 services or photographs obtained in the process of issuing a
2 driver's license or permit when the purpose of the request
3 relates to criminal activity other than violations of
4 immigration laws.

5 (Source: P.A. 101-326, eff. 8-9-19; 102-354, eff. 8-13-21.)

6 (625 ILCS 5/6-110.2)

7 Sec. 6-110.2. Confidentiality of documents submitted with
8 an application for a driver's license. Documents required to
9 be submitted with an application for a driver's license to
10 prove the applicant's identity (name and date of birth),
11 social security number or lack of a social security number,
12 written signature, residency, and, as applicable, citizenship
13 or immigration ~~proof of lawful~~ status and country of
14 citizenship shall be confidential and shall not be disclosed
15 except to the following persons:

16 (1) the individual to whom the driver's license or
17 permit was issued, upon written request;

18 (2) officers and employees of the Secretary of State
19 who have a need to have access to the stored images for
20 purposes of issuing and controlling driver's licenses,
21 permits, or identification cards and investigation of
22 fraud or misconduct;

23 (3) law enforcement officials for a civil or criminal
24 law enforcement investigation, except as restricted by
25 Section 6-110.3;

1 (4) other entities that the Secretary may authorize by
2 rule.

3 (Source: P.A. 101-326, eff. 8-9-19.)

4 (625 ILCS 5/6-110.3 new)

5 Sec. 6-110.3. Restrictions on use of information for
6 certain purposes.

7 (a) Notwithstanding any other provision of law, the
8 Secretary may not release or make accessible in any manner any
9 highly restricted personal information as defined in Section
10 1-125.9 or personally identifying information as defined in
11 Section 1-159.2, provide images, photos, or facial recognition
12 services as described in Section 6-110.1, or disclose
13 documents as described in Section 6-110.2 to any immigration
14 agent as defined in Section 10 of the Illinois TRUST Act,
15 unless necessary to comply with any of the following to the
16 extent that production of such information or documents are
17 specifically required:

18 (1) a lawful court order;

19 (2) a judicial warrant signed by a judge appointed
20 pursuant to Article III of the Constitution of the United
21 States; or

22 (3) a subpoena for individual records issued by a
23 federal or State court.

24 When responding to such a court order, warrant, or
25 subpoena, the Secretary shall disclose only those documents or

1 information specifically requested. Within 3 business days of
2 receiving such a court order, warrant, or subpoena, the
3 Secretary shall send a notification to the individual about
4 whom such information was requested that a court order,
5 warrant, or subpoena was received and the identity of the
6 entity that presented the court order, warrant, or subpoena.

7 (b) The Secretary shall not enter into or maintain any
8 agreement regarding the sharing of any highly restricted
9 personal information as defined in Section 1-125.9, personally
10 identifying information as defined in Section 1-159.2, images
11 or photos described in Section 6-110.1, or documents described
12 in Section 6-110.2 unless all other parties to such agreement
13 certify that the information obtained will not be used for
14 civil immigration purposes or knowingly disseminated to any
15 third party for any purpose related to civil immigration
16 enforcement.

17 (625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

18 Sec. 6-115. Expiration of driver's license.

19 (a) Except as provided elsewhere in this Section, every
20 driver's license issued under the provisions of this Code
21 shall expire 4 years from the date of its issuance, or at such
22 later date, as the Secretary of State may by proper rule and
23 regulation designate, not to exceed 12 calendar months; in the
24 event that an applicant for renewal of a driver's license
25 fails to apply prior to the expiration date of the previous

1 driver's license, the renewal driver's license shall expire 4
2 years from the expiration date of the previous driver's
3 license, or at such later date as the Secretary of State may by
4 proper rule and regulation designate, not to exceed 12
5 calendar months.

6 The Secretary of State may, however, issue to a person not
7 previously licensed as a driver in Illinois a driver's license
8 which will expire not less than 4 years nor more than 5 years
9 from date of issuance, except as provided elsewhere in this
10 Section.

11 (a-5) Every REAL ID compliant driver's license issued
12 under this Code to an applicant who is not a United States
13 citizen or permanent resident, or an individual who has an
14 approved application for asylum in the United States or has
15 entered the United States in refugee status, shall be marked
16 "Limited Term" on its face and shall expire on whichever is the
17 earlier date of the following:

18 (1) as provided under subsection (a), (f), (g), or (i)
19 of this Section;

20 (2) on the date the applicant's authorized stay in the
21 United States terminates; or

22 (3) if the applicant's authorized stay is indefinite
23 ~~and the applicant is applying for a Limited Term REAL ID~~
24 ~~compliant driver's license~~, one year from the date of
25 issuance of the license.

26 (a-10) (Blank). ~~Every REAL ID compliant driver's license~~

1 ~~issued under this Code to an applicant who is not a United~~
2 ~~States citizen or permanent resident, or an individual who has~~
3 ~~an approved application for asylum in the United States or has~~
4 ~~entered the United States in refugee status, shall be marked~~
5 ~~"Limited Term".~~

6 (b) Before the expiration of a driver's license, except
7 those licenses expiring on the individual's 21st birthday, or
8 3 months after the individual's 21st birthday, the holder
9 thereof may apply for a renewal thereof, subject to all the
10 provisions of Section 6-103, and the Secretary of State may
11 require an examination of the applicant. A licensee whose
12 driver's license expires on his 21st birthday, or 3 months
13 after his 21st birthday, may not apply for a renewal of his
14 driving privileges until he reaches the age of 21.

15 (c) The Secretary of State shall, 30 days prior to the
16 expiration of a driver's license, forward to each person whose
17 license is to expire a notification of the expiration of said
18 license which may be presented at the time of renewal of said
19 license.

20 There may be included with such notification information
21 explaining the anatomical gift and Emergency Medical
22 Information Card provisions of Section 6-110. The format and
23 text of such information shall be prescribed by the Secretary.

24 There shall be included with such notification, for a
25 period of 4 years beginning January 1, 2000 information
26 regarding the Illinois Adoption Registry and Medical

1 Information Exchange established in Section 18.1 of the
2 Adoption Act.

3 (d) The Secretary may defer the expiration of the driver's
4 license of a licensee, spouse, and dependent children who are
5 living with such licensee while on active duty, serving in the
6 Armed Forces of the United States outside of the State of
7 Illinois, and 120 days thereafter, upon such terms and
8 conditions as the Secretary may prescribe.

9 (d-5) The Secretary may defer the expiration of the
10 driver's license of a licensee, or of a spouse or dependent
11 children living with the licensee, serving as a civilian
12 employee of the United States Armed Forces or the United
13 States Department of Defense, outside of the State of
14 Illinois, and 120 days thereafter, upon such terms and
15 conditions as the Secretary may prescribe.

16 (e) The Secretary of State may decline to process a
17 renewal of a driver's license of any person who has not paid
18 any fee or tax due under this Code and is not paid upon
19 reasonable notice and demand.

20 (f) The Secretary shall provide that each original or
21 renewal driver's license issued to a licensee under 21 years
22 of age shall expire 3 months after the licensee's 21st
23 birthday. Persons whose current driver's licenses expire on
24 their 21st birthday on or after January 1, 1986 shall not renew
25 their driver's license before their 21st birthday, and their
26 current driver's license will be extended for an additional

1 term of 3 months beyond their 21st birthday. Thereafter, the
2 expiration and term of the driver's license shall be governed
3 by subsection (a) hereof.

4 (g) The Secretary shall provide that each original or
5 renewal driver's license issued to a licensee 81 years of age
6 through age 86 shall expire 2 years from the date of issuance,
7 or at such later date as the Secretary may by rule and
8 regulation designate, not to exceed an additional 12 calendar
9 months. The Secretary shall also provide that each original or
10 renewal driver's license issued to a licensee 87 years of age
11 or older shall expire 12 months from the date of issuance, or
12 at such later date as the Secretary may by rule and regulation
13 designate, not to exceed an additional 12 calendar months.

14 (h) The Secretary of State shall provide that each special
15 restricted driver's license issued under subsection (g) of
16 Section 6-113 of this Code shall expire 12 months from the date
17 of issuance. The Secretary shall adopt rules defining renewal
18 requirements.

19 (i) The Secretary of State shall provide that each
20 driver's license issued to a person convicted of a sex offense
21 as defined in Section 2 of the Sex Offender Registration Act
22 shall expire 12 months from the date of issuance or at such
23 date as the Secretary may by rule designate, not to exceed an
24 additional 12 calendar months. The Secretary may adopt rules
25 defining renewal requirements.

26 (Source: P.A. 101-185, eff. 1-1-20; 102-659, eff. 1-1-22.)

1 (625 ILCS 5/6-121)

2 Sec. 6-121. Issuance of confidential drivers' licenses.

3 (a) Requirements for use of confidential drivers'
4 licenses. Confidential drivers' licenses may be issued to
5 local, state, and federal government agencies for bona fide
6 law enforcement purposes. The drivers' licenses may be issued
7 with fictitious names and addresses, and may be used only for
8 confidential, investigative, or undercover law enforcement
9 operations. Confidential drivers' licenses may be issued as
10 REAL ID compliant or standard ~~non-compliant~~ driver's licenses.

11 (b) Application procedures for confidential drivers'
12 licenses:

13 (1) Applications by local, state, and federal
14 government agencies for confidential drivers' licenses
15 must be made to the Secretary of State Police Department
16 on a form and in a manner prescribed by the Secretary of
17 State Police Department.

18 (2) The application form must include information, as
19 specific as possible without compromising investigations
20 or techniques, setting forth the need for the drivers'
21 licenses and the uses to which the licenses will be
22 limited.

23 (3) The application form must be signed and verified
24 by the local, state, or federal government agency head or
25 designee.

1 (4) Registration information maintained by the
2 Secretary of State Police Department for confidential
3 drivers' licenses must show the fictitious names and
4 addresses on all records subject to public disclosure. All
5 other information concerning these confidential drivers'
6 licenses are exempt from disclosure unless the disclosure
7 is ordered by a court of competent jurisdiction.

8 (c) Revocation and cancellation procedures for
9 confidential drivers' licenses:

10 (1) The Secretary of State Police Department may
11 revoke or refuse to renew confidential drivers' licenses
12 when they have reasonable cause to believe the licenses
13 are being used for purposes other than those set forth in
14 the application form or authorized by this Section.
15 Confidential drivers' licenses may also be revoked where
16 traffic violation citations have been issued to the driver
17 and subsequent investigation reveals that the issuance of
18 the citations was unrelated to the purposes for which the
19 confidential driver's license was issued. In such cases,
20 the citations and any resulting court orders, convictions,
21 supervisions or other sanctions must be treated by the
22 Secretary of State as though they were issued in relation
23 to the true driver's license of the individual to whom the
24 confidential driver's license was issued.

25 (2) A government agency must request cancellation of
26 confidential drivers' licenses that are no longer required

1 for the purposes for which they were issued.

2 (3) All revoked confidential drivers' licenses must be
3 promptly returned to the Secretary of State Police
4 Department by the government agency to which they were
5 issued.

6 (Source: P.A. 100-248, eff. 8-22-17.)

7 (625 ILCS 5/6-122)

8 Sec. 6-122. Expedited driver's license. The Secretary of
9 State may provide for an expedited process for the issuance of
10 a driver's license, ~~excluding temporary visitor's driver's~~
11 ~~licenses~~. The Secretary shall charge an additional fee for the
12 issuance of an expedited driver's license, to be set by rule,
13 not to exceed \$75. All fees collected by the Secretary for
14 expedited driver's license service shall be deposited into the
15 Secretary of State Special Services Fund. The Secretary may
16 adopt rules regarding the eligibility, process, and fee for an
17 expedited driver's license.

18 (Source: P.A. 99-305, eff. 1-1-16.)

19 Section 99. Effective date. This Act takes effect July 1,
20 2024.

1 INDEX
2 Statutes amended in order of appearance

3	5 ILCS 230/10	
4	10 ILCS 5/1A-16.1	
5	15 ILCS 335/1A	
6	15 ILCS 335/2	from Ch. 124, par. 22
7	15 ILCS 335/4	from Ch. 124, par. 24
8	15 ILCS 335/4D	
9	15 ILCS 335/5	from Ch. 124, par. 25
10	15 ILCS 335/8	from Ch. 124, par. 28
11	15 ILCS 335/11	from Ch. 124, par. 31
12	625 ILCS 5/6-100	from Ch. 95 1/2, par. 6-100
13	625 ILCS 5/6-100.5	
14	625 ILCS 5/6-105.1	
15	625 ILCS 5/6-106	from Ch. 95 1/2, par. 6-106
16	625 ILCS 5/6-110.1	
17	625 ILCS 5/6-110.2	
18	625 ILCS 5/6-110.3 new	
19	625 ILCS 5/6-115	from Ch. 95 1/2, par. 6-115
20	625 ILCS 5/6-121	
21	625 ILCS 5/6-122	