

1 AN ACT concerning identification.

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

4 Section 1. Short title. This Act may be cited as the  
5 Consular Identification Document Act.

6 Section 5. Definition. As used in this Act, "consular  
7 identification document" means an official identification card  
8 issued by a foreign government that meets all of the following  
9 requirements:

10 (1) The consular identification document is issued  
11 through the foreign government's consular offices for the  
12 purpose of identifying a foreign national who is living  
13 outside of that nation.

14 (2) The foreign government requires an individual to  
15 provide the following to obtain the consular  
16 identification document: (A) proof of nationality; (B)  
17 proof of identity; and (C) proof of residence in the  
18 consular district.

19 (3) The foreign government includes the following  
20 security features in the consular identification document:  
21 (A) a unique identification number; (B) an optically  
22 variable feature such as a hologram or color-shifting inks;  
23 (C) an ultraviolet image; (D) encoded information; (E)  
24 machine readable technology; (F) micro printing; (G)  
25 secure laminate; and (H) integrated photograph and  
26 signature.

27 (4) The consular identification document includes the  
28 following data: (A) the name and address of the individual  
29 to whom it is issued; (B) the date of issuance; (C) the  
30 date of expiration; (D) the name of the issuing consulate;  
31 and (E) an identification number. The consular  
32 identification document must include an English

1 translation of the data fields.

2 (5) The issuing consulate has filed with the Department  
3 of State Police a copy of the issuing consulate's consular  
4 identification document and a certification of the  
5 procedures that are used to satisfy the requirements of  
6 paragraphs (2) and (3).

7 Section 10. Acceptance of consular identification  
8 document.

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

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

16 (c) A consular identification document may not be accepted  
17 as identification for obtaining a driver's license or  
18 registering to vote.

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

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

25 (1) a federal law, regulation, or directive or a  
26 federal court decision requires a State agency or officer  
27 or a unit of local government to obtain different  
28 identification;

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

31 (3) a State agency or officer or a unit of local  
32 government would be unable to comply with a condition  
33 imposed by a funding source which would cause the State  
34 agency or officer or unit of local government to lose funds  
35 from that source.

1 (f) Nothing in subsection (a) shall be construed to  
2 prohibit a State agency or officer or a unit of local  
3 government from:

4 (1) requiring additional information from persons in  
5 order to verify a current address or other facts that would  
6 enable the State agency or officer or unit of local  
7 government to fulfill its responsibilities, except that  
8 this paragraph (1) does not permit a State agency or  
9 officer or a unit of local government to require additional  
10 information solely in order to establish identification of  
11 the person when the consular identification document is the  
12 form of identification presented;

13 (2) requiring fingerprints for identification purposes  
14 under circumstances where the State agency or officer or  
15 unit of local government also requires fingerprints from  
16 persons who have a driver's license or Illinois  
17 Identification Card; or

18 (3) requiring additional evidence of identification if  
19 the State agency or officer or unit of local government  
20 reasonably believes that: (A) the consular identification  
21 document is forged, fraudulent, or altered; or (B) the  
22 holder does not appear to be the same person on the  
23 consular identification document.

24 Section 15. Privacy and disclosure limitations. Use by a  
25 State agency or officer or a unit of local government of  
26 information collected from, or appearing on, a consular  
27 identification document is subject to the same privacy and  
28 disclosure limitations that apply to the Illinois  
29 Identification Card.