

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.