



Rep. Luis Arroyo

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09500HB4861ham003

LRB095 15331 LCT 51203 a

1 AMENDMENT TO HOUSE BILL 4861

2 AMENDMENT NO. _____. Amend House Bill 4861 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 6-117 as follows:

6 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

7 Sec. 6-117. Records to be kept by the Secretary of State.

8 (a) The Secretary of State shall file every application for
9 a license or permit accepted under this Chapter, and shall
10 maintain suitable indexes thereof. The records of the Secretary
11 of State shall indicate the action taken with respect to such
12 applications.

13 (b) The Secretary of State shall maintain appropriate
14 records of all licenses and permits refused, cancelled,
15 disqualified, revoked, or suspended and of the revocation,
16 suspension, and disqualification of driving privileges of

1 persons not licensed under this Chapter, and such records shall
2 note the reasons for such action.

3 (c) The Secretary of State shall maintain appropriate
4 records of convictions reported under this Chapter. Records of
5 conviction may be maintained in a computer processible medium.

6 (d) The Secretary of State may also maintain appropriate
7 records of any accident reports received.

8 (e) The Secretary of State shall also maintain appropriate
9 records of any disposition of supervision or records relative
10 to a driver's referral to a driver remedial or rehabilitative
11 program, as required by the Secretary of State or the courts.
12 Such records shall only be available for use by the Secretary,
13 the driver licensing administrator of any other state, law
14 enforcement agencies, the courts, and the affected driver or,
15 upon proper verification, such affected driver's attorney.

16 (f) The Secretary of State shall also maintain or contract
17 to maintain appropriate records of all photographs and
18 signatures obtained in the process of issuing any driver's
19 license, permit, or identification card. The record shall be
20 confidential and shall not be disclosed except to those
21 entities listed under Section 6-110.1 of this Code.

22 (g) The Secretary of State may establish a First Person
23 Consent organ and tissue donor registry in compliance with
24 subsection (b-1) of Section 5-20 of the Illinois Anatomical
25 Gift Act, as follows:

26 (1) The Secretary shall offer, to each applicant

1 for issuance or renewal of a driver's license or
2 identification card who is 18 years of age or older, the
3 opportunity to have his or her name included in the First
4 Person Consent organ and tissue donor registry. The
5 Secretary must advise the applicant or licensee that he or
6 she is under no compulsion to have his or her name included
7 in the registry. An individual who agrees to having his or
8 her name included in the First Person Consent organ and
9 tissue donor registry has given full legal consent to the
10 donation of any of his or her organs or tissue upon his or
11 her death. A brochure explaining this method of executing
12 an anatomical gift must be given to each applicant for
13 issuance or renewal of a driver's license or identification
14 card. The brochure must advise the applicant or licensee
15 (i) that he or she is under no compulsion to have his or
16 her name included in this registry and (ii) that he or she
17 may wish to consult with family, friends, or clergy before
18 doing so.

19 (2) The Secretary of State may establish
20 additional methods by which an individual may have his or
21 her name included in the First Person Consent organ and
22 tissue donor registry.

23 (3) When an individual has agreed to have his or
24 her name included in the First Person Consent organ and
25 tissue donor registry, the Secretary of State shall note
26 that agreement in the First Person consent organ and tissue

1 donor registry. Representatives of federally designated
2 organ procurement agencies and tissue banks and the offices
3 of Illinois county coroners and medical examiners may
4 inquire of the Secretary of State whether a potential organ
5 donor's name is included in the First Person Consent organ
6 and tissue donor registry, and the Secretary of State may
7 provide that information to the representative.

8 (4) An individual may withdraw his or her consent
9 to be listed in the First Person Consent organ and tissue
10 donor registry maintained by the Secretary of State by
11 notifying the Secretary of State in writing, or by any
12 other means approved by the Secretary, of the individual's
13 decision to have his or her name removed from the registry.

14 (5) The Secretary of State may undertake
15 additional efforts, including education and awareness
16 activities, to promote organ and tissue donation.

17 (6) In the absence of gross negligence or willful
18 misconduct, the Secretary of State and his or her employees
19 are immune from any civil or criminal liability in
20 connection with an individual's consent to be listed in the
21 organ and tissue donor registry.

22 (Source: P.A. 94-75, eff. 1-1-06; 95-382, eff. 8-23-07.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."