



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3687

Introduced 2/10/2012, by Sen. Christine J. Johnson

SYNOPSIS AS INTRODUCED:

15 ILCS 335/1A	
15 ILCS 335/4	from Ch. 124, par. 24
15 ILCS 335/5	from Ch. 124, par. 25
625 ILCS 5/6-106	from Ch. 95 1/2, par. 6-106
625 ILCS 5/6-110	from Ch. 95 1/2, par. 6-110
720 ILCS 630/0.01	from Ch. 38, par. 65
720 ILCS 630/1	from Ch. 38, par. 65-1
740 ILCS 13/5	
775 ILCS 30/3	from Ch. 23, par. 3363

Amends the Illinois Identification Card Act. Provides that, beginning January 1, 2013, the Secretary of State shall provide a space on each original or renewal identification card where, at the request of the applicant, a designation may be placed to indicate that the applicant owns or is training a service dog. Amends the Illinois Vehicle Code. Provides that, beginning January 1, 2013, the Secretary of State shall provide a space on each original or renewal driver's license where, at the request of the applicant, a designation may be placed to indicate that the applicant owns or is training a service dog. Amends the Guide Dog Access Act. Changes the short title of the Act to the Service Dog Access Act. Defines "service dog". Makes conforming changes to the Assistance Animal Damages Act and White Cane Law. Effective immediately.

LRB097 20122 JDS 65506 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning service dogs.

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

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Sections 1A, 4, and 5 as follows:

6 (15 ILCS 335/1A)

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

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

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

16 "Fraudulent identification card" means any identification
17 card that purports to be an official identification card for
18 which a computerized number and file have not been created by
19 the Secretary of State, the United States Government or any
20 state or political subdivision thereof, or any governmental or
21 quasi-governmental organization. For the purpose of this Act,
22 any identification card that resembles an official
23 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 type
11 on the photograph side of the card, and no such card shall be
12 smaller in size than 3 inches by 4 inches, and the photograph
13 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 associated
19 official document presented to the Secretary of State.

20 "Personally identifying information" means information
21 that identifies an individual, including his or her
22 identification card number, name, address (but not the 5-digit
23 zip code), and telephone number.

24 "Homeless person" or "homeless individual" has the same
25 meaning as defined by the federal McKinney-Vento Homeless
26 Assistance Act, 42 U.S.C. 11302, or 42 U.S.C. 11434a(2).

1 "Service dog" has the meaning ascribed to it in Section 1
2 of the Service Dog Access Act.

3 (Source: P.A. 96-183, eff. 7-1-10.)

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

5 Sec. 4. Identification Card.

6 (a) The Secretary of State shall issue a standard Illinois
7 Identification Card to any natural person who is a resident of
8 the State of Illinois who applies for such card, or renewal
9 thereof, or who applies for a standard Illinois Identification
10 Card upon release as a committed person on parole, mandatory
11 supervised release, final discharge, or pardon from the
12 Department of Corrections by submitting an identification card
13 issued by the Department of Corrections under Section 3-14-1 of
14 the Unified Code of Corrections, together with the prescribed
15 fees. No identification card shall be issued to any person who
16 holds a valid foreign state identification card, license, or
17 permit unless the person first surrenders to the Secretary of
18 State the valid foreign state identification card, license, or
19 permit. The card shall be prepared and supplied by the
20 Secretary of State and shall include a photograph and signature
21 or mark of the applicant. However, the Secretary of State may
22 provide by rule for the issuance of Illinois Identification
23 Cards without photographs if the applicant has a bona fide
24 religious objection to being photographed or to the display of
25 his or her photograph. The Illinois Identification Card may be

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

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

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

1 Secretary of State, and shall include a photograph and
2 signature or mark of the applicant, a designation indicating
3 that the card is an Illinois Disabled Person Identification
4 Card, and shall include a comprehensible designation of the
5 type and classification of the applicant's disability as set
6 out in Section 4A of this Act. However, the Secretary of State
7 may provide by rule for the issuance of Illinois Disabled
8 Person Identification Cards without photographs if the
9 applicant has a bona fide religious objection to being
10 photographed or to the display of his or her photograph. If the
11 applicant so requests, the card shall include a description of
12 the 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 the
18 mark. The Illinois Disabled Person Identification Card may be
19 used for identification purposes in any lawful situation by the
20 person to whom it was issued.

21 The Illinois Disabled Person Identification Card may be
22 used as adequate documentation of disability in lieu of a
23 physician's determination of disability, a determination of
24 disability from a physician assistant who has been delegated
25 the authority to make this determination by his or her
26 supervising physician, a determination of disability from an

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

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

22 When medical information is contained on an Illinois
23 Disabled Person Identification Card, the Office of the
24 Secretary of State shall not be liable for any actions taken
25 based upon that medical information.

26 (c) Beginning January 1, 1986, the Secretary of State shall

1 provide that each original or renewal Illinois Identification
2 Card or Illinois Disabled Person Identification Card issued to
3 a person under the age of 21, shall be of a distinct nature
4 from those Illinois Identification Cards or Illinois Disabled
5 Person Identification Cards issued to individuals 21 years of
6 age or older. The color designated for Illinois Identification
7 Cards or Illinois Disabled Person Identification Cards for
8 persons under the age of 21 shall be at the discretion of the
9 Secretary of State.

10 (c-1) Beginning January 1, 2003, each original or renewal
11 Illinois Identification Card or Illinois Disabled Person
12 Identification Card issued to a person under the age of 21
13 shall display the date upon which the person becomes 18 years
14 of age and the date upon which the person becomes 21 years of
15 age.

16 (c-2) Beginning January 1, 2013, the Secretary of State
17 shall provide a space on each original or renewal
18 identification card where, at the request of the applicant, a
19 designation may be placed to indicate that the applicant owns
20 or is training a service dog. The designation shall be
21 available to any applicant who presents the Secretary with
22 credentials establishing that he or she owns or is training a
23 service dog.

24 (d) The Secretary of State may issue a Senior Citizen
25 discount card, to any natural person who is a resident of the
26 State of Illinois who is 60 years of age or older and who

1 applies for such a card or renewal thereof. The Secretary of
2 State shall charge no fee to issue such card. The card shall be
3 issued in every county and applications shall be made available
4 at, but not limited to, nutrition sites, senior citizen centers
5 and Area Agencies on Aging. The applicant, upon receipt of such
6 card and prior to its use for any purpose, shall have affixed
7 thereon in the space provided therefor his signature or mark.

8 (e) The Secretary of State, in his or her discretion, may
9 designate on each Illinois Identification Card or Illinois
10 Disabled Person Identification Card a space where the card
11 holder may place a sticker or decal, issued by the Secretary of
12 State, of uniform size as the Secretary may specify, that shall
13 indicate in appropriate language that the card holder has
14 renewed his or her Illinois Identification Card or Illinois
15 Disabled Person Identification Card.

16 (Source: P.A. 96-146, eff. 1-1-10; 96-328, eff. 8-11-09;
17 96-1231, eff. 7-23-10; 97-371, eff. 1-1-12.)

18 (15 ILCS 335/5) (from Ch. 124, par. 25)

19 Sec. 5. Applications.

20 (a) Any natural person who is a resident of the State of
21 Illinois, may file an application for an identification card or
22 for the renewal thereof, in a manner prescribed by the
23 Secretary. Each original application shall be completed by the
24 applicant in full and shall set forth the legal name, residence
25 address and zip code, social security number, birth date, sex

1 and a brief description of the applicant. The applicant shall
2 be photographed, unless the Secretary of State has provided by
3 rule for the issuance of identification cards without
4 photographs and the applicant is deemed eligible for an
5 identification card without a photograph under the terms and
6 conditions imposed by the Secretary of State, and he or she
7 shall also submit any other information as the Secretary may
8 deem necessary or such documentation as the Secretary may
9 require to determine the identity of the applicant. In addition
10 to the residence address, the Secretary may allow the applicant
11 to provide a mailing address. An applicant for a disabled
12 persons card must also submit with each original or renewal
13 application, on forms prescribed by the Secretary, such
14 documentation as the Secretary may require, establishing that
15 the applicant is a "disabled person" as defined in Section 4A
16 of this Act, and setting forth the applicant's type and class
17 of disability as set forth in Section 4A of this Act.

18 (b) Beginning January 1, 2013, for each original or renewal
19 identification card application under this Act, the Secretary
20 shall also inquire as to whether the applicant owns or is
21 training a service dog.

22 (Source: P.A. 96-1231, eff. 7-23-10; 97-371, eff. 1-1-12.)

23 Section 10. The Illinois Vehicle Code is amended by
24 changing Sections 6-106 and 6-110 as follows:

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

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

3 (a) Every application for any permit or license authorized
4 to be issued under this Act shall be made upon a form furnished
5 by the Secretary of State. Every application shall be
6 accompanied by the proper fee and payment of such fee shall
7 entitle the applicant to not more than 3 attempts to pass the
8 examination within a period of 1 year after the date of
9 application.

10 (b) Every application shall state the legal name, social
11 security number, zip code, date of birth, sex, and residence
12 address of the applicant; briefly describe the applicant; state
13 whether the applicant has theretofore been licensed as a
14 driver, and, if so, when and by what state or country, and
15 whether any such license has ever been cancelled, suspended,
16 revoked or refused, and, if so, the date and reason for such
17 cancellation, suspension, revocation or refusal; shall include
18 an affirmation by the applicant that all information set forth
19 is true and correct; and shall bear the applicant's signature.
20 In addition to the residence address, the Secretary may allow
21 the applicant to provide a mailing address. The application
22 form may also require the statement of such additional relevant
23 information as the Secretary of State shall deem necessary to
24 determine the applicant's competency and eligibility. The
25 Secretary of State may, in his discretion, by rule or
26 regulation, provide that an application for a drivers license

1 or permit may include a suitable photograph of the applicant in
2 the form prescribed by the Secretary, and he may further
3 provide that each drivers license shall include a photograph of
4 the driver. The Secretary of State may utilize a photograph
5 process or system most suitable to deter alteration or improper
6 reproduction of a drivers license and to prevent substitution
7 of another photo thereon.

8 (c) The application form shall include a notice to the
9 applicant of the registration obligations of sex offenders
10 under the Sex Offender Registration Act. The notice shall be
11 provided in a form and manner prescribed by the Secretary of
12 State. For purposes of this subsection (c), "sex offender" has
13 the meaning ascribed to it in Section 2 of the Sex Offender
14 Registration Act.

15 (d) Any male United States citizen or immigrant who applies
16 for any permit or license authorized to be issued under this
17 Act or for a renewal of any permit or license, and who is at
18 least 18 years of age but less than 26 years of age, must be
19 registered in compliance with the requirements of the federal
20 Military Selective Service Act. The Secretary of State must
21 forward in an electronic format the necessary personal
22 information regarding the applicants identified in this
23 subsection (d) to the Selective Service System. The applicant's
24 signature on the application serves as an indication that the
25 applicant either has already registered with the Selective
26 Service System or that he is authorizing the Secretary to

1 forward to the Selective Service System the necessary
2 information for registration. The Secretary must notify the
3 applicant at the time of application that his signature
4 constitutes consent to registration with the Selective Service
5 System, if he is not already registered.

6 (e) Beginning January 1, 2013, for each original or renewal
7 driver's license application under this Act, the Secretary
8 shall inquire as to whether the applicant owns or is training a
9 service dog. For the purposes of this subsection (e), "service
10 dog" has the meaning ascribed to it in Section 1 of the Service
11 Dog Access Act.

12 (Source: P.A. 96-1231, eff. 7-23-10; 97-263, eff. 8-5-11.)

13 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

14 Sec. 6-110. Licenses issued to drivers.

15 (a) The Secretary of State shall issue to every qualifying
16 applicant a driver's license as applied for, which license
17 shall bear a distinguishing number assigned to the licensee,
18 the legal name, signature, zip code, date of birth, residence
19 address, and a brief description of the licensee.

20 Licenses issued shall also indicate the classification and
21 the restrictions under Section 6-104 of this Code.

22 A driver's license issued may, in the discretion of the
23 Secretary, include a suitable photograph of a type prescribed
24 by the Secretary.

25 (a-1) If the licensee is less than 18 years of age, unless

1 one of the exceptions in subsection (a-2) apply, the license
2 shall, as a matter of law, be invalid for the operation of any
3 motor vehicle during the following times:

4 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

5 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on
6 Sunday; and

7 (C) Between 10:00 p.m. on Sunday to Thursday,
8 inclusive, and 6:00 a.m. on the following day.

9 (a-2) The driver's license of a person under the age of 18
10 shall not be invalid as described in subsection (a-1) of this
11 Section if the licensee under the age of 18 was:

12 (1) accompanied by the licensee's parent or guardian or
13 other person in custody or control of the minor;

14 (2) on an errand at the direction of the minor's parent
15 or guardian, without any detour or stop;

16 (3) in a motor vehicle involved in interstate travel;

17 (4) going to or returning home from an employment
18 activity, without any detour or stop;

19 (5) involved in an emergency;

20 (6) going to or returning home from, without any detour
21 or stop, an official school, religious, or other
22 recreational activity supervised by adults and sponsored
23 by a government or governmental agency, a civic
24 organization, or another similar entity that takes
25 responsibility for the licensee, without any detour or
26 stop;

1 (7) exercising First Amendment rights protected by the
2 United States Constitution, such as the free exercise of
3 religion, freedom of speech, and the right of assembly; or

4 (8) married or had been married or is an emancipated
5 minor under the Emancipation of Minors Act.

6 (a-2.5) The driver's license of a person who is 17 years of
7 age and has been licensed for at least 12 months is not invalid
8 as described in subsection (a-1) of this Section while the
9 licensee is participating as an assigned driver in a Safe Rides
10 program that meets the following criteria:

11 (1) the program is sponsored by the Boy Scouts of
12 America or another national public service organization;
13 and

14 (2) the sponsoring organization carries liability
15 insurance covering the program.

16 (a-3) If a graduated driver's license holder over the age
17 of 18 committed an offense against traffic regulations
18 governing the movement of vehicles or any violation of Section
19 6-107 or Section 12-603.1 of this Code in the 6 months prior to
20 the graduated driver's license holder's 18th birthday, and was
21 subsequently convicted of the offense, the provisions of
22 subsection (a-1) shall continue to apply until such time as a
23 period of 6 consecutive months has elapsed without an
24 additional violation and subsequent conviction of an offense
25 against traffic regulations governing the movement of vehicles
26 or Section 6-107 or Section 12-603.1 of this Code.

1 (a-4) If an applicant for a driver's license or instruction
2 permit has a current identification card issued by the
3 Secretary of State, the Secretary may require the applicant to
4 utilize the same residence address and name on the
5 identification card, driver's license, and instruction permit
6 records maintained by the Secretary. The Secretary may
7 promulgate rules to implement this provision.

8 (b) Until the Secretary of State establishes a First Person
9 Consent organ and tissue donor registry under Section 6-117 of
10 this Code, the Secretary of State shall provide a format on the
11 reverse of each driver's license issued which the licensee may
12 use to execute a document of gift conforming to the provisions
13 of the Illinois Anatomical Gift Act. The format shall allow the
14 licensee to indicate the gift intended, whether specific
15 organs, any organ, or the entire body, and shall accommodate
16 the signatures of the donor and 2 witnesses. The Secretary
17 shall also inform each applicant or licensee of this format,
18 describe the procedure for its execution, and may offer the
19 necessary witnesses; provided that in so doing, the Secretary
20 shall advise the applicant or licensee that he or she is under
21 no compulsion to execute a document of gift. A brochure
22 explaining this method of executing an anatomical gift document
23 shall be given to each applicant or licensee. The brochure
24 shall advise the applicant or licensee that he or she is under
25 no compulsion to execute a document of gift, and that he or she
26 may wish to consult with family, friends or clergy before doing

1 so. The Secretary of State may undertake additional efforts,
2 including education and awareness activities, to promote organ
3 and tissue donation.

4 (c) The Secretary of State shall designate on each driver's
5 license issued a space where the licensee may place a sticker
6 or decal of the uniform size as the Secretary may specify,
7 which sticker or decal may indicate in appropriate language
8 that the owner of the license carries an Emergency Medical
9 Information Card.

10 The sticker may be provided by any person, hospital,
11 school, medical group, or association interested in assisting
12 in implementing the Emergency Medical Information Card, but
13 shall meet the specifications as the Secretary may by rule or
14 regulation require.

15 (d) The Secretary of State shall designate on each driver's
16 license issued a space where the licensee may indicate his
17 blood type and RH factor.

18 (e) The Secretary of State shall provide that each original
19 or renewal driver's license issued to a licensee under 21 years
20 of age shall be of a distinct nature from those driver's
21 licenses issued to individuals 21 years of age and older. The
22 color designated for driver's licenses for licensees under 21
23 years of age shall be at the discretion of the Secretary of
24 State.

25 (e-1) The Secretary shall provide that each driver's
26 license issued to a person under the age of 21 displays the

1 date upon which the person becomes 18 years of age and the date
2 upon which the person becomes 21 years of age.

3 (e-5) Beginning January 1, 2013, the Secretary of State
4 shall provide a space on each original or renewal driver's
5 license where, at the request of the applicant, a designation
6 may be placed to indicate that the applicant owns or is
7 training a service dog. The designation shall be available to
8 any applicant who presents the Secretary with credentials
9 establishing that he or she owns or is training a service dog.
10 For the purposes of this subsection (e-5), "service dog" has
11 the meaning ascribed to it in Section 1 of the Service Dog
12 Access Act.

13 (f) The Secretary of State shall inform all Illinois
14 licensed commercial motor vehicle operators of the
15 requirements of the Uniform Commercial Driver License Act,
16 Article V of this Chapter, and shall make provisions to insure
17 that all drivers, seeking to obtain a commercial driver's
18 license, be afforded an opportunity prior to April 1, 1992, to
19 obtain the license. The Secretary is authorized to extend
20 driver's license expiration dates, and assign specific times,
21 dates and locations where these commercial driver's tests shall
22 be conducted. Any applicant, regardless of the current
23 expiration date of the applicant's driver's license, may be
24 subject to any assignment by the Secretary. Failure to comply
25 with the Secretary's assignment may result in the applicant's
26 forfeiture of an opportunity to receive a commercial driver's

1 license prior to April 1, 1992.

2 (g) The Secretary of State shall designate on a driver's
3 license issued, a space where the licensee may indicate that he
4 or she has drafted a living will in accordance with the
5 Illinois Living Will Act or a durable power of attorney for
6 health care in accordance with the Illinois Power of Attorney
7 Act.

8 (g-1) The Secretary of State, in his or her discretion, may
9 designate on each driver's license issued a space where the
10 licensee may place a sticker or decal, issued by the Secretary
11 of State, of uniform size as the Secretary may specify, that
12 shall indicate in appropriate language that the owner of the
13 license has renewed his or her driver's license.

14 (h) A person who acts in good faith in accordance with the
15 terms of this Section is not liable for damages in any civil
16 action or subject to prosecution in any criminal proceeding for
17 his or her act.

18 (Source: P.A. 96-607, eff. 8-24-09; 96-1231, eff. 7-23-10;
19 97-263, eff. 8-5-11.)

20 Section 15. The Guide Dog Access Act is amended by changing
21 Sections 0.01 and 1 as follows:

22 (720 ILCS 630/0.01) (from Ch. 38, par. 65)

23 Sec. 0.01. Short title. This Act may be cited as the
24 Service Guide ~~Guide~~ Dog Access Act.

1 (Source: P.A. 86-1324.)

2 (720 ILCS 630/1) (from Ch. 38, par. 65-1)

3 Sec. 1. Service dog access to public accommodations.

4 (a) When an individual with a disability, including a
5 physical, sensory, psychiatric, intellectual, or other mental
6 disability, a blind, hearing impaired or physically
7 handicapped person or a person who is subject to epilepsy or
8 other seizure disorders is accompanied by a service dog dog
9 which serves as a guide, leader, seizure alert, or
10 seizure-response dog for such person or when a trainer of a
11 service dog guide, leader, seizure alert, or seizure response
12 dog is accompanied by a service dog guide, leader,
13 seizure alert, or seizure response dog or a dog that is being
14 trained to be a service dog guide, leader, seizure alert, or
15 seizure response dog, then neither the person nor the dog shall
16 be denied the right of entry and use of facilities of any
17 public place of accommodation as defined in Section 5-101 of
18 the "Illinois Human Rights Act", if such dog is wearing a
19 harness and such person presents credentials for inspection
20 issued by a school for training service guide, leader,
21 seizure alert, or seizure response dogs.

22 (b) For the purposes of this Section, "service dog" means
23 any dog that is individually trained to do work or perform
24 tasks for the benefit of an individual with a disability,
25 including a physical, sensory, psychiatric, intellectual, or

1 other mental disability. The work or tasks performed by a
2 service animal must be directly related to the individual's
3 disability. Examples of work or tasks include, but are not
4 limited to, assisting individuals who are blind or have low
5 vision with navigation and other tasks, alerting individuals
6 who are deaf or hard of hearing to the presence of people or
7 sounds, providing non-violent protection or rescue work,
8 pulling a wheelchair, assisting an individual during a seizure,
9 alerting individuals to the presence of allergens, retrieving
10 items such as medicine or the telephone, providing physical
11 support and assistance with balance and stability to
12 individuals with mobility disabilities, calming a person with
13 Post Traumatic Stress Disorder (PTSD) during an anxiety attack,
14 and helping persons with psychiatric and neurological
15 disabilities by preventing or interrupting impulsive or
16 destructive behaviors. The crime deterrent effects of an
17 animal's presence and the provision of emotional support,
18 well-being, comfort, or companionship do not constitute work or
19 tasks for the purposes of this definition.

20 (c) Any violation of this Act is a Class C misdemeanor.

21 (Source: P.A. 92-187, eff. 1-1-02; 93-532, eff. 1-1-04.)

22 Section 20. The Assistance Animal Damages Act is amended by
23 changing Section 5 as follows:

24 (740 ILCS 13/5)

1 Sec. 5. Definitions. As used in this Act:

2 ~~"Blind person" means a person who has vision of 20/200 or~~
3 ~~less with the best correction or has a visual field of 20~~
4 ~~degrees or less.~~

5 ~~"Guide dog" means a dog that is trained to lead or guide a~~
6 ~~blind person.~~

7 ~~"Deaf person" means a person whose hearing disability~~
8 ~~precludes successful processing of linguistic information~~
9 ~~through audition with or without a hearing aid.~~

10 ~~"Hearing ear dog" means a dog that is trained to assist a~~
11 ~~deaf person.~~

12 "Assistance animal" means any animal trained to assist a
13 physically impaired person in one or more daily life
14 activities, including but not limited to:

- 15 (1) service ~~guide~~ dogs;
- 16 (2) (blank) ~~hearing ear dogs~~;
- 17 (3) an animal trained to pull a wheelchair;
- 18 (4) an animal trained to fetch dropped items; and
- 19 (5) an animal trained to perform balance work.

20 "Daily life activity" includes but is not limited to:

- 21 (1) self-care;
- 22 (2) ambulation;
- 23 (3) communication;
- 24 (4) transportation; or
- 25 (5) employment.

26 "Physically impaired person" means any person who is

1 permanently physically impaired, whose physical impairment
2 limits one or more of daily life activities and who has a
3 record of impairment and is regarded by health care
4 practitioners as having such an impairment, requiring the use
5 of an assistance animal including but not limited to blindness,
6 deafness and complete or partial paralysis.

7 "Service dog" has the meaning ascribed to it in Section 1 of
8 the Service Dog Access Act.

9 (Source: P.A. 91-480, eff. 1-1-00.)

10 Section 25. The White Cane Law is amended by changing
11 Section 3 as follows:

12 (775 ILCS 30/3) (from Ch. 23, par. 3363)

13 Sec. 3. The blind, the visually handicapped, the hearing
14 impaired, persons who are subject to epilepsy or other seizure
15 disorders, and the otherwise physically disabled have the same
16 right as the able-bodied to the full and free use of the
17 streets, highways, sidewalks, walkways, public buildings,
18 public facilities and other public places.

19 The blind, the visually handicapped, the hearing impaired,
20 persons who are subject to epilepsy or other seizure disorders,
21 and the otherwise physically disabled are entitled to full and
22 equal accommodations, advantages, facilities and privileges of
23 all common carriers, airplanes, motor vehicles, railroad
24 trains, motor buses, street cars, boats or any other public

1 conveyances or modes of transportation, hotels, lodging
2 places, places of public accommodation, amusement or resort and
3 other places to which the general public is invited, subject
4 only to the conditions and limitations established by law and
5 applicable alike to all persons.

6 Every totally or partially blind, hearing impaired, person
7 who is subject to epilepsy or other seizure disorders, or
8 otherwise physically disabled person or a trainer of service
9 dogs ~~support dogs, guide dogs, seizure alert dogs,~~
10 ~~seizure response dogs, or hearing dogs~~ shall have the right to
11 be accompanied by a service dog ~~support dog or guide dog~~
12 especially trained for the purpose, or a dog that is being
13 trained to be a service dog ~~support dog, guide dog,~~
14 ~~seizure alert dog, seizure response dog, or hearing dog,~~ in any
15 of the places listed in this Section without being required to
16 pay an extra charge for the service dog ~~guide, support,~~
17 ~~seizure alert, seizure response, or hearing dog;~~ provided that
18 he shall be liable for any damage done to the premises or
19 facilities by such dog.

20 For the purposes of this Section, "service dog" has the
21 meaning ascribed to it in Section 1 of the Service Dog Access
22 Act.

23 (Source: P.A. 92-187, eff. 1-1-02; 93-532, eff. 1-1-04.)

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