

1 AN ACT concerning the Secretary of State.

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 2, 4, 7, 8, and 9 as follows:

6 (15 ILCS 335/2) (from Ch. 124, par. 22)

7 Sec. 2. Administration and powers and duties of the
8 Administrator.

9 (a) The Secretary of State is the Administrator of this
10 Act, and he is charged with the duty of observing,
11 administering and enforcing the provisions of this Act.

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

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

17 2. From time to time, he may make, amend or rescind
18 rules and regulations as may be in the public interest to
19 implement the Act.

20 3. He may prescribe or provide suitable forms as
21 necessary, including such forms as are necessary to
22 establish that an applicant for an Illinois Person with a
23 Disability Identification Card is a "disabled person" as

1 defined in Section 4A of this Act, and establish that an
2 applicant for a State identification card is a "homeless
3 person" as defined in Section 1A of this Act.

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

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

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

17 7. He shall require the payment of all fees prescribed
18 in this Act, and all such fees received by him shall be
19 placed in the Road Fund of the State treasury except as
20 otherwise provided in Section 12 of this Act. Whenever any
21 application to the Secretary for an identification card
22 under this Act is accompanied by any fee, as required by
23 law, and the application is denied after a review of
24 eligibility, which may include facial recognition
25 comparison, the applicant shall not be entitled to a refund
26 of any fees paid.

1 (Source: P.A. 96-183, eff. 7-1-10; 97-1064, eff. 1-1-13.)

2 (15 ILCS 335/4) (from Ch. 124, par. 24)

3 Sec. 4. Identification Card.

4 (a) The Secretary of State shall issue a standard Illinois
5 Identification Card to any natural person who is a resident of
6 the State of Illinois who applies for such card, or renewal
7 thereof, or who applies for a standard Illinois Identification
8 Card upon release as a committed person on parole, mandatory
9 supervised release, aftercare release, final discharge, or
10 pardon from the Department of Corrections or Department of
11 Juvenile Justice by submitting an identification card issued by
12 the Department of Corrections or Department of Juvenile Justice
13 under Section 3-14-1 or Section 3-2.5-70 of the Unified Code of
14 Corrections, together with the prescribed fees. No
15 identification card shall be issued to any person who holds a
16 valid foreign state identification card, license, or permit
17 unless the person first surrenders to the Secretary of State
18 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 (a-10) If the applicant is a judicial officer as defined in
16 Section 1-10 of the Judicial Privacy Act or a peace officer,
17 the applicant may elect to have his or her office or work
18 address listed on the card instead of the applicant's residence
19 or mailing address. The Secretary may promulgate rules to
20 implement this provision. For the purposes of this subsection
21 (a-10), "peace officer" means any person who by virtue of his
22 or her office or public employment is vested by law with a duty
23 to maintain public order or to make arrests for a violation of
24 any penal statute of this State, whether that duty extends to
25 all violations or is limited to specific violations.

26 (a-15) The Secretary of State may provide for an expedited

1 process for the issuance of an Illinois Identification Card.
2 The Secretary shall charge an additional fee for the expedited
3 issuance of an Illinois Identification Card, to be set by rule,
4 not to exceed \$75. All fees collected by the Secretary for
5 expedited Illinois Identification Card service shall be
6 deposited into the Secretary of State Special Services Fund.
7 The Secretary may adopt rules regarding the eligibility,
8 process, and fee for an expedited Illinois Identification Card.
9 If the Secretary of State determines that the volume of
10 expedited identification card requests received on a given day
11 exceeds the ability of the Secretary to process those requests
12 in an expedited manner, the Secretary may decline to provide
13 expedited services, and the additional fee for the expedited
14 service shall be refunded to the applicant.

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

1 the 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 Person with a Disability
4 Identification Card, and shall include a comprehensible
5 designation of the type and classification of the applicant's
6 disability as set out in Section 4A of this Act. However, the
7 Secretary of State may provide by rule for the issuance of
8 Illinois Person with a Disability Identification Cards without
9 photographs if the applicant has a bona fide religious
10 objection to being photographed or to the display of his or her
11 photograph. If the applicant so requests, the card shall
12 include a description of the applicant's disability and any
13 information about the applicant's disability or medical
14 history which the Secretary determines would be helpful to the
15 applicant in securing emergency medical care. If a mark is used
16 in lieu of a signature, such mark shall be affixed to the card
17 in the presence of two witnesses who attest to the authenticity
18 of the mark. The Illinois Person with a Disability
19 Identification Card may be used for identification purposes in
20 any lawful 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 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 Person with a Disability
7 Identification Card shall not qualify the cardholder to
8 participate in any program or to receive any benefit which is
9 not available to all persons with like disabilities.
10 Notwithstanding any other provisions of law, an Illinois Person
11 with a Disability Identification Card, or evidence that the
12 Secretary of State has issued an Illinois Person with a
13 Disability Identification Card, shall not be used by any person
14 other than the person named on such card to prove that the
15 person named on such card is a disabled person or for any other
16 purpose unless the card is used for the benefit of the person
17 named on such card, and the person named on such card consents
18 to such use at the time the card is so used.

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

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

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

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

16 (c-3) The General Assembly recognizes the need to identify
17 military veterans living in this State for the purpose of
18 ensuring that they receive all of the services and benefits to
19 which they are legally entitled, including healthcare,
20 education assistance, and job placement. To assist the State in
21 identifying these veterans and delivering these vital services
22 and benefits, the Secretary of State is authorized to issue
23 Illinois Identification Cards and Illinois Person with a
24 Disability Identification Cards with the word "veteran"
25 appearing on the face of the cards. This authorization is
26 predicated on the unique status of veterans. The Secretary may

1 not issue any other identification card which identifies an
2 occupation, status, affiliation, hobby, or other unique
3 characteristics of the identification card holder which is
4 unrelated to the purpose of the identification card.

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

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

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

1 specify, that shall indicate in appropriate language that the
2 card holder has renewed his or her Illinois Identification Card
3 or Illinois Person with a Disability Identification Card.

4 (Source: P.A. 97-371, eff. 1-1-12; 97-739, eff. 1-1-13; 97-847,
5 eff. 1-1-13; 97-1064, eff. 1-1-13; 98-323, eff. 1-1-14; 98-463,
6 eff. 8-16-13; 98-558, eff. 1-1-14; 98-756, eff. 7-16-14.)

7 (15 ILCS 335/7) (from Ch. 124, par. 27)

8 Sec. 7. Duplicate and corrected cards.

9 (a) In the event an identification card is lost or
10 destroyed, or if there is a correction of legal name or
11 residence address, or a change in the type or class of
12 disability of a holder of an Illinois Person with a Disability
13 Identification Card, the person named on the card may apply for
14 a duplicate or substitute card, or for a corrected card. Any
15 application for a corrected card shall be accompanied by the
16 original card being corrected.

17 (b) The Secretary of State, having issued an identification
18 card in error, may, upon written notice of at least 5 days to
19 the person, require the person to appear at a Driver Services
20 facility to have the identification card error corrected and a
21 new identification card issued. The failure of the person to
22 appear is grounds for cancellation of the person's
23 identification card under Section 13 of this Act.

24 (c) Notwithstanding any other provisions of this Act, the
25 Secretary of State shall restrict the issuance of multiple

1 duplicate identification cards and Illinois Person with a
2 Disability Identification Cards to any individual to 3 per year
3 and 10 for the life of individual. The Secretary may, in his or
4 her discretion, grant exceptions to these limits if the
5 applicant for a duplicate card can provide sufficient evidence
6 from an official source to establish that a duplicate
7 identification card is required. The Secretary may promulgate
8 rules to implement the requirements of this subsection. For
9 purposes of this Section, "official source" means any document
10 or report created by law enforcement, State or federal
11 government, the judiciary, and any other entity that the
12 Secretary may identify by rule.

13 (Source: P.A. 97-1064, eff. 1-1-13.)

14 (15 ILCS 335/8) (from Ch. 124, par. 28)

15 Sec. 8. Expiration.

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

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

24 (2) Every original or renewal identification card
25 issued to a person who has reached his or her 15th

1 birthday, but is not yet 21 years of age shall expire 3
2 months after the person's 21st birthday.

3 (b) Every original, renewal, or duplicate (i)
4 identification card issued to a person who has reached his or
5 her 65th birthday shall be permanent and need not be renewed
6 and (ii) Illinois Person with a Disability Identification Card
7 issued to a qualifying person shall expire 10 years thereafter.
8 The Secretary of State shall promulgate rules setting forth the
9 conditions and criteria for the renewal of all Illinois Person
10 with a Disability Identification Cards.

11 (c) Beginning July 1, 2016, every identification card or
12 Illinois Person with a Disability Identification Card issued
13 under this Act to an applicant who is not a United States
14 citizen shall expire on whichever is the earlier date of the
15 following:

16 (1) as provided under subsection (a) or (b) of this
17 Section; or

18 (2) on the date the applicant's authorized stay in the
19 United States terminates.

20 (Source: P.A. 97-1064, eff. 1-1-13.)

21 (15 ILCS 335/9) (from Ch. 124, par. 29)

22 Sec. 9. Renewal.

23 (a) Any person having a valid identification card which
24 expires on his or her 21st birthday, or which expires 3 months
25 after his or her 21st birthday, may not apply for renewal of

1 his or her existing identification card. A subsequent
2 application filed by persons under this subsection, on or after
3 their 21st birthday, shall be considered an application for a
4 new card under Section 5 of this Act.

5 (b) Any person having a valid identification card, except
6 those under subsection (a), may apply for a one-time renewal,
7 in a manner prescribed by the Secretary of State, within 30
8 days after the expiration of the identification card. A
9 subsequent application filed by that person shall be considered
10 an application for a new card under Section 5 of this Act.
11 Except as otherwise provided in subsection (c) of Section 8 of
12 this Act, any ~~Any~~ identification card renewed under this
13 subsection shall be valid for 5 years after the expiration date
14 of the identification card as originally issued under Section 5
15 of this Act. The Secretary of State, in his or her discretion,
16 may provide that applications for the one-time renewal under
17 this subsection (b) may be made by telephone, mail, or the
18 Internet, subject to any eligibility criteria and other
19 requirements that the Secretary of State deems appropriate.

20 (c) Notwithstanding any other provision of this Act to the
21 contrary, a person convicted of a sex offense as defined in
22 Section 2 of the Sex Offender Registration Act may not renew
23 his or her Illinois Identification Card or Illinois Person with
24 a Disability Identification Card by telephone, mail, or the
25 Internet.

26 (Source: P.A. 97-1064, eff. 1-1-13.)

1 Section 10. The Illinois Vehicle Code is amended by
2 changing Sections 6-115 and 6-119 and by adding Section 6-122
3 as follows:

4 (625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

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

6 (a) Except as provided elsewhere in this Section, every
7 driver's license issued under the provisions of this Code shall
8 expire 4 years from the date of its issuance, or at such later
9 date, as the Secretary of State may by proper rule and
10 regulation designate, not to exceed 12 calendar months; in the
11 event that an applicant for renewal of a driver's license fails
12 to apply prior to the expiration date of the previous driver's
13 license, the renewal driver's license shall expire 4 years from
14 the expiration date of the previous driver's license, or at
15 such later date as the Secretary of State may by proper rule
16 and regulation designate, not to exceed 12 calendar months.

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

22 ~~The Secretary of State is authorized to issue driver's~~
23 ~~licenses during the years 1984 through 1987 which shall expire~~
24 ~~not less than 3 years nor more than 5 years from the date of~~

1 ~~issuance, except as provided elsewhere in this Section, for the~~
2 ~~purpose of converting all driver's licenses issued under this~~
3 ~~Code to a 4 year expiration. Provided that all original~~
4 ~~driver's licenses, except as provided elsewhere in this~~
5 ~~Section, shall expire not less than 4 years nor more than 5~~
6 ~~years from the date of issuance.~~

7 (a-5) Beginning July 1, 2016, every driver's license issued
8 under this Code to an applicant who is not a United States
9 citizen shall expire on whichever is the earlier date of the
10 following:

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

13 (2) on the date the applicant's authorized stay in the
14 United States terminates.

15 (b) Before the expiration of a driver's license, except
16 those licenses expiring on the individual's 21st birthday, or 3
17 months after the individual's 21st birthday, the holder thereof
18 may apply for a renewal thereof, subject to all the provisions
19 of Section 6-103, and the Secretary of State may require an
20 examination of the applicant. A licensee whose driver's license
21 expires on his 21st birthday, or 3 months after his 21st
22 birthday, may not apply for a renewal of his driving privileges
23 until he reaches the age of 21.

24 (c) The Secretary of State shall, 30 days prior to the
25 expiration of a driver's license, forward to each person whose
26 license is to expire a notification of the expiration of said

1 license which may be presented at the time of renewal of said
2 license.

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

7 There shall be included with such notification, for a
8 period of 4 years beginning January 1, 2000 information
9 regarding the Illinois Adoption Registry and Medical
10 Information Exchange established in Section 18.1 of the
11 Adoption Act.

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

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

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

1 driver's license before their 21st birthday, and their current
2 driver's license will be extended for an additional term of 3
3 months beyond their 21st birthday. Thereafter, the expiration
4 and term of the driver's license shall be governed by
5 subsection (a) hereof.

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

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

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

1 defining renewal requirements.

2 (Source: P.A. 97-79, eff. 1-1-12.)

3 (625 ILCS 5/6-119) (from Ch. 95 1/2, par. 6-119)

4 Sec. 6-119. When fees returnable-drivers license.

5 (a) Whenever any application to the Secretary of State for
6 a driver's license or permit under this Article is accompanied
7 by any fee as required by law and such application is refused
8 or rejected after a review of eligibility, which may include
9 facial recognition comparison, the applicant shall not be
10 entitled to a refund of any fees paid, ~~said fee shall be~~
11 ~~returned to said applicant.~~

12 (a-5) If the Secretary of State determines that the volume
13 of expedited driver's license requests received on a given day
14 exceeds the ability of the Secretary to process those requests
15 in an expedited manner, the Secretary may decline to provide
16 expedited services, and the additional fee for the expedited
17 service shall be refunded to the applicant.

18 (b) Whenever the Secretary of State through error collects
19 any fee not required to be paid hereunder, the same shall be
20 refunded to the person paying the same upon application
21 therefor made within 6 months after the date of such payment.

22 (c) Whenever a person dies after making application for a
23 drivers license or permit under this Article, application for a
24 refund of the drivers license or permit may be made if the
25 person dies prior to the effective date for which application

1 has been made, and if the drivers license or permit has never
2 been used. The Secretary of State shall refund the drivers
3 license or permit fees upon receipt within 3 months after the
4 application for a drivers license or permit of an application
5 for refund accompanied with the drivers license or permit and
6 proof of death of the applicant.

7 (d) Any application for refund received after the times
8 specified in this Section shall be denied and the applicant in
9 order to receive a refund must apply to the Court of Claims.

10 (Source: P.A. 78-756.)

11 (625 ILCS 5/6-122 new)

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

22 Section 99. Effective date. This Act takes effect January
23 1, 2016.