



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5766

by Rep. Sam Yingling

#### SYNOPSIS AS INTRODUCED:

15 ILCS 205/4	from Ch. 14, par. 4
15 ILCS 205/9 new	
15 ILCS 335/12	from Ch. 124, par. 32

Amends the Attorney General Act. Requires the Attorney General to prescribe a form that may be used in lieu of obtaining a police report for the purposes of obtaining a fee waiver for a duplicate identification card to replace a stolen identification card under the Illinois Identification Card Act. Amends the Illinois Identification Card Act. Provides that the fee for any duplicate identification card shall be waived for any person who presents the Secretary of State's Office with a police report or a form prescribed by the Attorney General showing that his or her identification card was stolen. Makes conforming changes.

LRB100 19963 RJF 35244 b

1 AN ACT concerning State government.

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

4 Section 5. The Attorney General Act is amended by changing  
5 Section 4 and by adding Section 9 as follows:

6 (15 ILCS 205/4) (from Ch. 14, par. 4)

7 Sec. 4. The duties of the Attorney General shall be--

8 First - To appear for and represent the people of the State  
9 before the supreme court in all cases in which the State or the  
10 people of the State are interested.

11 Second - To institute and prosecute all actions and  
12 proceedings in favor of or for the use of the State, which may  
13 be necessary in the execution of the duties of any State  
14 officer.

15 Third - To defend all actions and proceedings against any  
16 State officer, in his official capacity, in any of the courts  
17 of this State or the United States.

18 Fourth - To consult with and advise the several State's  
19 Attorneys in matters relating to the duties of their office;  
20 and when, in his judgment, the interest of the people of the  
21 State requires it, he shall attend the trial of any party  
22 accused of crime, and assist in the prosecution. When the  
23 Attorney General has requested in writing that a State's

1 Attorney initiate court proceedings to enforce any provisions  
2 of the Election Code or to initiate a criminal prosecution with  
3 respect to a violation of the Election Code, and when the  
4 State's Attorney has declined in writing to initiate those  
5 proceedings or prosecutions or when the State's Attorney has  
6 neither initiated the proceedings or prosecutions nor  
7 responded in writing to the Attorney General within 60 days of  
8 the receipt of the request, the Attorney General may,  
9 concurrently with or independently of the State's Attorney,  
10 initiate such proceedings or prosecutions. The Attorney  
11 General may investigate and prosecute any violation of the  
12 Election Code at the request of the State Board of Elections or  
13 a State's Attorney.

14 Fifth - To investigate alleged violations of the statutes  
15 which the Attorney General has a duty to enforce and to conduct  
16 other investigations in connection with assisting in the  
17 prosecution of a criminal offense at the request of a State's  
18 Attorney.

19 Sixth - To consult with and advise the governor and other  
20 State officers, and give, when requested, written opinions upon  
21 all legal or constitutional questions relating to the duties of  
22 such officers respectively.

23 Seventh - To prepare, when necessary, proper drafts for  
24 contracts and other writings relating to subjects in which the  
25 State is interested.

26 Eighth - To give written opinions, when requested by either

1 branch of the general assembly, or any committee thereof, upon  
2 constitutional or legal questions.

3 Ninth - To enforce the proper application of funds  
4 appropriated to the public institutions of the State, prosecute  
5 breaches of trust in the administration of such funds, and,  
6 when necessary, prosecute corporations for failure or refusal  
7 to make the reports required by law.

8 Tenth - To keep, a register of all cases prosecuted or  
9 defended by him, in behalf of the State or its officers, and of  
10 all proceedings had in relation thereto, and to deliver the  
11 same to his successor in office.

12 Eleventh - To keep on file in his office a copy of the  
13 official opinions issued by the Attorney General and deliver  
14 same to his successor.

15 Twelfth - To pay into the State treasury all moneys  
16 received by him for the use of the State.

17 Thirteenth - To attend to and perform any other duty which  
18 may, from time to time, be required of him by law.

19 Fourteenth - To attend, present evidence to and prosecute  
20 indictments returned by each Statewide Grand Jury.

21 Fifteenth - To give written binding and advisory public  
22 access opinions as provided in Section 7 of this Act.

23 Sixteenth - To prescribe a form for stolen identification  
24 cards as provided in Section 9 of this Act.

25 (Source: P.A. 95-699, eff. 11-9-07; 96-542, eff. 1-1-10.)

1 (15 ILCS 205/9 new)

2 Sec. 9. Attorney General stolen identification card form.

3 (a) The Office of the Attorney General, in consultation  
4 with the Secretary of State, shall prescribe a form that may be  
5 used in lieu of obtaining a police report for the purposes of  
6 obtaining a fee waiver for a duplicate identification card to  
7 replace a stolen identification card under Section 12 of the  
8 Illinois Identification Card Act.

9 (b) The form prescribed by the Attorney General under this  
10 Section shall require an applicant to disclose the following  
11 information:

12 (1) name of applicant;

13 (2) age and date of birth of applicant;

14 (3) residential address of applicant;

15 (4) information detailing how, when, and where the  
16 applicant's identification card was stolen; and

17 (5) any other information the Attorney General may deem  
18 necessary and relevant.

19 Section 10. The Illinois Identification Card Act is amended  
20 by changing Section 12 as follows:

21 (15 ILCS 335/12) (from Ch. 124, par. 32)

22 Sec. 12. Fees concerning standard Illinois Identification  
23 Cards. The fees required under this Act for standard Illinois  
24 Identification Cards must accompany any application provided

1 for in this Act, and the Secretary shall collect such fees as  
 2 follows:

3	a. Original card .....	\$20
4	b. Renewal card .....	20
5	c. Corrected card .....	10
6	d. Duplicate card .....	20
7	e. Certified copy with seal .....	5
8	f. Search .....	2
9	g. Applicant 65 years of age or over .....	No Fee
10	h. (Blank) .....	
11	i. Individual living in Veterans	
12	Home or Hospital .....	No Fee
13	j. Original card under 18 years of age .....	\$10
14	k. Renewal card under 18 years of age .....	\$10
15	l. Corrected card under 18 years of age .....	\$5
16	m. Duplicate card under 18 years of age .....	\$10
17	n. Homeless person .....	No Fee
18	o. Duplicate card issued to an active-duty	
19	member of the United States Armed Forces, the	
20	member's spouse, or dependent children	
21	living with the member .....	No Fee
22	p. Duplicate temporary card .....	\$5
23	q. First card issued to a youth	
24	for whom the Department of Children	
25	and Family Services is legally responsible	
26	or a foster child upon turning the age of	

1           16 years old until he or she reaches  
 2           the age of 21 years old ..... No Fee

3           r. Original card issued to a committed  
 4           person upon release on parole,  
 5           mandatory supervised release,  
 6           aftercare release, final  
 7           discharge, or pardon from the  
 8           Department of Corrections or  
 9           Department of Juvenile Justice ..... No Fee

10          s. Limited-term Illinois Identification  
 11          Card issued to a committed person  
 12          upon release on parole, mandatory  
 13          supervised release, aftercare  
 14          release, final discharge, or pardon  
 15          from the Department of  
 16          Corrections or Department of  
 17          Juvenile Justice ..... No Fee

18          All fees collected under this Act shall be paid into the  
 19          Road Fund of the State treasury, except that the following  
 20          amounts shall be paid into the General Revenue Fund: (i) 80% of  
 21          the fee for an original, renewal, or duplicate Illinois  
 22          Identification Card issued on or after January 1, 2005; and  
 23          (ii) 80% of the fee for a corrected Illinois Identification  
 24          Card issued on or after January 1, 2005.

25          An individual, who resides in a veterans home or veterans  
 26          hospital operated by the State or federal government, who makes

1 an application for an Illinois Identification Card to be issued  
2 at no fee, must submit, along with the application, an  
3 affirmation by the applicant on a form provided by the  
4 Secretary of State, that such person resides in a veterans home  
5 or veterans hospital operated by the State or federal  
6 government.

7 The application of a homeless individual for an Illinois  
8 Identification Card to be issued at no fee must be accompanied  
9 by an affirmation by a qualified person, as defined in Section  
10 4C of this Act, on a form provided by the Secretary of State,  
11 that the applicant is currently homeless as defined in Section  
12 1A of this Act.

13 For the application for the first Illinois Identification  
14 Card of a youth for whom the Department of Children and Family  
15 Services is legally responsible or a foster child to be issued  
16 at no fee, the youth must submit, along with the application,  
17 an affirmation by his or her court appointed attorney or an  
18 employee of the Department of Children and Family Services on a  
19 form provided by the Secretary of State, that the person is a  
20 youth for whom the Department of Children and Family Services  
21 is legally responsible or a foster child.

22 The fee for any duplicate identification card shall be  
23 waived for any person who presents the Secretary of State's  
24 Office with a police report or a form prescribed by the  
25 Attorney General under Section 9 of the Attorney General Act  
26 showing that his or her identification card was stolen.



1           The fee for any duplicate identification card shall be  
2 waived for any person age 60 or older whose identification card  
3 has been lost or stolen.

4           As used in this Section, "active-duty member of the United  
5 States Armed Forces" means a member of the Armed Services or  
6 Reserve Forces of the United States or a member of the Illinois  
7 National Guard who is called to active duty pursuant to an  
8 executive order of the President of the United States, an act  
9 of the Congress of the United States, or an order of the  
10 Governor.

11           (Source: P.A. 99-607, eff. 7-22-16; 99-659, eff. 7-28-17;  
12 99-907, eff. 7-1-17; 100-201, eff. 8-18-17.)