

**HB1641**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**HB1641**

Introduced 1/28/2025, by Rep. Chris Miller

**SYNOPSIS AS INTRODUCED:**

15 ILCS 335/4

from Ch. 124, par. 24

Amends the Illinois Identification Card Act. Provides that the Secretary of State shall (rather than may) provide by rule for the issuance of Illinois Person with a Disability Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. Makes technical changes.

LRB104 08328 SPS 18379 b

**A BILL FOR**

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 Illinois Identification Card Act is amended  
5           by changing Section 4 as follows:

6           (15 ILCS 335/4) (from Ch. 124, par. 24)

7           Sec. 4. Identification card.

8           (a) In accordance with the requirements of this Section,  
9           the Secretary of State shall issue a standard Illinois  
10          Identification Card, as well as a mobile Illinois  
11          Identification Card, to any natural person who is a resident  
12          of the State of Illinois who applies for such a card, or  
13          renewal thereof. No identification card shall be issued to any  
14          person who holds a valid foreign state identification card,  
15          license, or permit unless the person first surrenders to the  
16          Secretary of State the valid foreign state identification  
17          card, license, or permit. The card shall be prepared and  
18          supplied by the Secretary of State and shall include a  
19          photograph and signature or mark of the applicant. However,  
20          the Secretary of State may provide by rule for the issuance of  
21          Illinois Identification Cards without photographs if the  
22          applicant has a bona fide religious objection to being  
23          photographed or to the display of his or her photograph. The

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

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

16               (a-10) If the applicant is a judicial officer as defined  
17       in Section 1-10 of the Judicial Privacy Act or a peace officer,  
18       the applicant may elect to have his or her office or work  
19       address listed on the card instead of the applicant's  
20       residence or mailing address. The Secretary may promulgate  
21       rules to implement this provision. For the purposes of this  
22       subsection (a-10), "peace officer" means any person who by  
23       virtue of his or her office or public employment is vested by  
24       law with a duty to maintain public order or to make arrests for  
25       a violation of any penal statute of this State, whether that  
26       duty extends to all violations or is limited to specific

1 violations.

2 (a-15) The Secretary of State may provide for an expedited  
3 process for the issuance of an Illinois Identification Card.  
4 The Secretary shall charge an additional fee for the expedited  
5 issuance of an Illinois Identification Card, to be set by  
6 rule, not to exceed \$75. All fees collected by the Secretary  
7 for expedited Illinois Identification Card service shall be  
8 deposited into the Secretary of State Special Services Fund.  
9 The Secretary may adopt rules regarding the eligibility,  
10 process, and fee for an expedited Illinois Identification  
11 Card. If the Secretary of State determines that the volume of  
12 expedited identification card requests received on a given day  
13 exceeds the ability of the Secretary to process those requests  
14 in an expedited manner, the Secretary may decline to provide  
15 expedited services, and the additional fee for the expedited  
16 service shall be refunded to the applicant.

17 (a-20) The Secretary of State shall issue a standard  
18 Illinois Identification Card to a person committed to the  
19 Department of Corrections, the Department of Juvenile Justice,  
20 a Federal Bureau of Prisons facility located in Illinois, or a  
21 county jail or county department of corrections as follows: ~~if~~  
22 ~~the person has a social security number,~~

23 (1) A committed person who has previously held an  
24 Illinois Identification Card or an Illinois driver's  
25 license shall submit an Identification Card verification  
26 form to the Secretary of State, including a photograph

1       taken by the correctional facility, proof of residency  
2       upon discharge, and a social security number, if the  
3       committed person has a social security number. If the  
4       committed person does not have a social security number  
5       and is eligible for a social security number, the  
6       Secretary of State shall not issue a standard Illinois  
7       Identification Card until the committed person obtains a  
8       social security number. If the committed person's  
9       photograph and demographic information matches an existing  
10      Illinois Identification Card or Illinois driver's license  
11      and the Secretary of State verifies the applicant's social  
12      security number with the Social Security Administration,  
13      the Secretary of State shall issue the committed person a  
14      standard Illinois Identification Card. If the photograph  
15      or demographic information matches an existing Illinois  
16      Identification Card or Illinois driver's license in  
17      another person's name or identity, a standard Illinois  
18      Identification Card shall not be issued until the  
19      committed person submits a certified birth certificate and  
20      social security card to the Secretary of State and the  
21      Secretary of State verifies the identity of the committed  
22      person. If the Secretary of State cannot find a match to an  
23      existing Illinois Identification Card or Illinois driver's  
24      license, the committed person may apply for a standard  
25      Illinois Identification card as described in paragraph  
26      (2).

(2) A committed person who has not previously held an Illinois Identification Card or Illinois driver's license or for whom a match cannot be found as described in paragraph (1) shall submit an Illinois Identification Card verification form, including a photograph taken by the correctional facility, a certified birth certificate, proof of residency upon discharge, and a social security number, if the committed has a social security number. If the committed person does not have a social security number and is eligible for a social security number, the Secretary of State shall not issue a standard Illinois Identification Card until the committed person obtains a social security number. If the Secretary of State verifies the applicant's social security number with the Social Security Administration, the Secretary of State shall issue the committed person a standard Illinois Identification Card.

The Illinois Identification Card verification form described in this subsection shall be prescribed by the Secretary of State. The Secretary of State and correctional facilities in this State shall establish a secure method to transfer the form.

(a-25) The Secretary of State shall issue a limited-term Illinois Identification Card valid for 90 days to a committed person upon release on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the

1       Department of Corrections, the Department of Juvenile Justice,  
2       a Federal Bureau of Prisons facility located in Illinois, or a  
3       county jail or county department of corrections, if the  
4       released person does not obtain a standard Illinois  
5       Identification Card as described in subsection (a-20) prior to  
6       release but does present a Secretary of State prescribed  
7       Identification Card verification form completed by the  
8       correctional facility, verifying the released person's date of  
9       birth, social security number, if the person has a social  
10      security number, and his or her Illinois residence address.  
11      The verification form must have been completed no more than 30  
12      days prior to the date of application for the Illinois  
13      Identification Card.

14       Prior to the expiration of the 90-day period of the  
15      limited-term Illinois Identification Card, if the released  
16      person submits to the Secretary of State a certified copy of  
17      his or her birth certificate and his or her social security  
18      card, if the person has a social security number, or other  
19      documents authorized by the Secretary, a standard Illinois  
20      Identification Card shall be issued. A limited-term Illinois  
21      Identification Card may not be renewed.

22       This subsection shall not apply to a released person who  
23      was unable to obtain a standard Illinois Identification Card  
24      because his or her photograph or demographic information  
25      matched an existing Illinois Identification Card or Illinois  
26      driver's license in another person's name or identity or to a

1 released person who does not have a social security number and  
2 is eligible for a social security number.

3 (a-30) The Secretary of State shall issue a standard  
4 Illinois Identification Card to a person upon conditional  
5 release or absolute discharge from the custody of the  
6 Department of Human Services, if the person presents a  
7 certified copy of his or her birth certificate, social  
8 security card, if the person has a social security number, or  
9 other documents authorized by the Secretary, and a document  
10 proving his or her Illinois residence address. The Secretary  
11 of State shall issue a standard Illinois Identification Card  
12 to a person prior to his or her conditional release or absolute  
13 discharge if personnel from the Department of Human Services  
14 bring the person to a Secretary of State location with the  
15 required documents. Documents proving residence address may  
16 include any official document of the Department of Human  
17 Services showing the person's address after release and a  
18 Secretary of State prescribed verification form, which may be  
19 executed by personnel of the Department of Human Services.

20 (a-35) The Secretary of State shall issue a limited-term  
21 Illinois Identification Card valid for 90 days to a person  
22 upon conditional release or absolute discharge from the  
23 custody of the Department of Human Services, if the person is  
24 unable to present a certified copy of his or her birth  
25 certificate and social security card, if the person has a  
26 social security number, or other documents authorized by the

1       Secretary, but does present a Secretary of State prescribed  
2       verification form completed by the Department of Human  
3       Services, verifying the person's date of birth and social  
4       security number, if the person has a social security number,  
5       and a document proving his or her Illinois residence address.  
6       The verification form must have been completed no more than 30  
7       days prior to the date of application for the Illinois  
8       Identification Card. The Secretary of State shall issue a  
9       limited-term Illinois Identification Card to a person no  
10      sooner than 14 days prior to his or her conditional release or  
11      absolute discharge if personnel from the Department of Human  
12      Services bring the person to a Secretary of State location  
13      with the required documents. Documents proving residence  
14      address shall include any official document of the Department  
15      of Human Services showing the person's address after release  
16      and a Secretary of State prescribed verification form, which  
17      may be executed by personnel of the Department of Human  
18      Services.

19                   (b) The Secretary of State shall issue a special Illinois  
20      Identification Card, which shall be known as an Illinois  
21      Person with a Disability Identification Card, to any natural  
22      person who is a resident of the State of Illinois, who is a  
23      person with a disability as defined in Section 4A of this Act,  
24      who applies for such card, or renewal thereof. No Illinois  
25      Person with a Disability Identification Card shall be issued  
26      to any person who holds a valid foreign state identification

1 card, license, or permit unless the person first surrenders to  
2 the Secretary of State the valid foreign state identification  
3 card, license, or permit. The Secretary of State shall charge  
4 no fee to issue such card. The card shall be prepared and  
5 supplied by the Secretary of State, and shall include a  
6 photograph and signature or mark of the applicant, a  
7 designation indicating that the card is an Illinois Person  
8 with a Disability Identification Card, and shall include a  
9 comprehensible designation of the type and classification of  
10 the applicant's disability as set out in Section 4A of this  
11 Act. However, the Secretary of State shall ~~may~~ provide by rule  
12 for the issuance of Illinois Person with a Disability  
13 Identification Cards without photographs if the applicant has  
14 a bona fide religious objection to being photographed or to  
15 the display of his or her photograph. If the applicant so  
16 requests, the card shall include a description of the  
17 applicant's disability and any information about the  
18 applicant's disability or medical history which the Secretary  
19 determines would be helpful to the applicant in securing  
20 emergency medical care. If a mark is used in lieu of a  
21 signature, such mark shall be affixed to the card in the  
22 presence of 2 ~~two~~ witnesses who attest to the authenticity of  
23 the mark. The Illinois Person with a Disability Identification  
24 Card may be used for identification purposes in any lawful  
25 situation by the person to whom it was issued.

26 The Illinois Person with a Disability Identification Card

1 may be used as adequate documentation of disability in lieu of  
2 a physician's determination of disability, a determination of  
3 disability from a physician assistant, a determination of  
4 disability from an advanced practice registered nurse, or any  
5 other documentation of disability whenever any State law  
6 requires that a person with a disability provide such  
7 documentation of disability, however an Illinois Person with a  
8 Disability Identification Card shall not qualify the  
9 cardholder to participate in any program or to receive any  
10 benefit which is not available to all persons with like  
11 disabilities. Notwithstanding any other provisions of law, an  
12 Illinois Person with a Disability Identification Card, or  
13 evidence that the Secretary of State has issued an Illinois  
14 Person with a Disability Identification Card, shall not be  
15 used by any person other than the person named on such card to  
16 prove that the person named on such card is a person with a  
17 disability or for any other purpose unless the card is used for  
18 the benefit of the person named on such card, and the person  
19 named on such card consents to such use at the time the card is  
20 so used.

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

25 When medical information is contained on an Illinois  
26 Person with a Disability Identification Card, the Office of

1 the Secretary of State shall not be liable for any actions  
2 taken based upon that medical information.

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

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

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

1 appearing on the face of the cards. This authorization is  
2 predicated on the unique status of veterans. The Secretary may  
3 not issue any other identification card which identifies an  
4 occupation, status, affiliation, hobby, or other unique  
5 characteristics of the identification card holder which is  
6 unrelated to the purpose of the identification card.

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

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

25 (e) The Secretary of State, in his or her discretion, may  
26 designate on each Illinois Identification Card or Illinois

1 Person with a Disability Identification Card a space where the  
2 card holder may place a sticker or decal, issued by the  
3 Secretary of State, of uniform size as the Secretary may  
4 specify, that shall indicate in appropriate language that the  
5 card holder has renewed his or her Illinois Identification  
6 Card or Illinois Person with a Disability Identification Card.

7 (f) (1) The Secretary of State may issue a mobile  
8 identification card to an individual who is otherwise eligible  
9 to hold a physical credential in addition to, and not instead  
10 of, an identification card if the Secretary of State has  
11 issued an identification card to the person. The data elements  
12 that are used to build an electronic credential must match the  
13 individual's current Department record.

14 (2) The Secretary may enter into agreements or contract  
15 with an agency of the State, another state, the United States,  
16 or a third party to facilitate the issuance, use, and  
17 verification of a mobile identification card issued by the  
18 Secretary or another state.

19 (3) Any mobile identification card issued by the Secretary  
20 shall be in accordance with the most recent AAMVA standards.

21 (4) The Secretary shall design the mobile identification  
22 card in a manner that allows the credential holder to maintain  
23 physical possession of the device on which the mobile  
24 identification card is accessed during verification.

25 (g) The verification process shall be implemented to  
26 require:

(1) the relying parties to authenticate electronic credentials in accordance with applicable AAMVA standards prior to acceptance of the electronic credential;

(2) the Secretary to ensure that electronic credential data is subject to all jurisdictional data security and privacy protection laws and regulations; and

(3) the relying parties to request only electronic credential data elements that are necessary to complete the transaction for which data is being requested.

(h) Privacy and tracking of data shall be restricted by implementing the following requirements:

(1) the relying parties shall retain only electronic credential data elements for which the relying party explicitly obtained consent from the electronic credential holder and shall inform the electronic credential holder of the use and retention period of the electronic data elements;

(2) the Secretary shall use an electronic credential system that is designed to maximize the privacy of the credential holder in accordance with State and federal law and shall not track or compile information without the credential holder's consent; and

(3) the Department shall only compile and disclose information regarding the use of the credential as required by State or federal law.

(i) (1) The electronic credential holder shall be required

1 to have the holder's ~~their~~ physical credential on the holder's  
2 ~~their~~ person for all purposes for which an identification card  
3 is required. No person, public entity, private entity, or  
4 agency shall establish a policy that requires an electronic  
5 credential instead of a physical credential.

6 (2) Electronic credential systems shall be designed so  
7 that there is no requirement for the electronic credential  
8 holder to display or relinquish possession of the credential  
9 holder's mobile device to relying parties for the acceptance  
10 of an electronic credential.

11 (3) When required by law and upon request by law  
12 enforcement, a credential holder must provide the credential  
13 holder's physical credential.

14 (4) Any law or regulation that requires an individual to  
15 surrender the individual's ~~their~~ physical credential to law  
16 enforcement does not apply to the device on which an  
17 electronic credential has been provisioned.

18 (j) A person may be required to produce when so requested a  
19 physical identification card to a law enforcement officer, a  
20 representative of a State or federal department or agency, or  
21 a private entity and is subject to all applicable laws and  
22 consequences for failure to produce such an identification  
23 card.

24 (k) The Secretary of State shall adopt such rules as are  
25 necessary to implement a mobile identification card.

26 (l) The display of a mobile identification card shall not

1 serve as consent or authorization for a law enforcement  
2 officer, or any other person, to search, view, or access any  
3 other data or application on the mobile device. If a person  
4 presents the person's mobile device to a law enforcement  
5 officer for purposes of displaying a mobile identification  
6 card, the law enforcement officer shall promptly return the  
7 mobile device to the person once the officer has had an  
8 opportunity to verify the identity of the person. Except for  
9 willful and wanton misconduct, any law enforcement officer,  
10 court, or officer of the court presented with the device shall  
11 be immune from any liability resulting from damage to the  
12 mobile device.

13 (m) The fee to install the application to display a mobile  
14 identification card as defined in this subsection shall not  
15 exceed \$6.

16 (n) As used in this Section:

17 "AAMVA" means the American Association of Motor Vehicle  
18 Administrators.

19 "Credential" means a driver's license, learner's permit,  
20 or identification card.

21 "Credential holder" means the individual to whom a mobile  
22 driver's license or a mobile identification card is issued.

23 "Data element" means a distinct component of a customer's  
24 information that is found on the Department's customer record.

25 "Department" means the Secretary of State Department of  
26 Driver Services.

1       "Electronic credential" means an electronic extension of  
2 the departmental issued physical credential that conveys  
3 identity and complies with AAMVA's mobile driver license  
4 Implementation guidelines and the ISO/IEC 18013-5 standard.

5       "Electronic credential system" means a digital process  
6 that includes a method for provisioning electronic  
7 credentials, requesting and transmitting electronic credential  
8 data elements, and performing tasks to maintain the system.

9       "Full profile" means all the information provided on an  
10 identification card.

11       "ISO" means the International Organization for  
12 Standardization, which creates uniform processes and  
13 procedures.

14       "Limited profile" means a portion of the information  
15 provided on an Identification Card.

16       "Mobile identification card" means a data file that is  
17 available on any mobile device that has connectivity to the  
18 Internet through an application that allows the mobile device  
19 to download the data file from the Secretary of State, that  
20 contains all the data elements visible on the face and back of  
21 an identification card, and that displays the current status  
22 of the identification card. "Mobile identification card" does  
23 not include a copy, photograph, or image of an Illinois  
24 Identification Card that is not downloaded through the  
25 application on a mobile device.

26       "Physical credential" means a Department-issued Department

1       *issued* document that conveys identity in accordance with the  
2       Illinois Identification Card Act.

3       "Provision" means the initial loading of an electronic  
4       credential onto a device.

5       "Relying party" means the entity to which the credential  
6       holder presents the electronic credential.

7       "Verification process" means a method of authenticating  
8       the electronic credential through the use of secured  
9       encryption communication.

10       (o) (f) Upon providing the required documentation, at the  
11       request of the applicant, the identification card may reflect  
12       Gold Star Family designation. The Secretary shall designate a  
13       space on each original or renewal of an identification card  
14       for such designation. This designation shall be available to a  
15       person eligible for Gold Star license plates under subsection  
16       (f) of Section 6-106 of the Illinois Vehicle Code.

17       (Source: P.A. 102-299, eff. 8-6-21; 103-210, eff. 7-1-24;  
18       103-345, eff. 1-1-24; 103-605, eff. 7-1-24; 103-782, eff.  
19       8-6-24; 103-824, eff. 1-1-25; 103-933, eff. 1-1-25; revised  
20       11-26-24.)