



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3024

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4	from Ch. 124, par. 24
15 ILCS 335/12	from Ch. 124, par. 32
730 ILCS 125/26.1 new	

Amends the Illinois Identification Card Act and the County Jail Act. Provides that upon the release of a prisoner or detainee from the County Department of Corrections or county jail, the County Department or sheriff shall provide the person who has met the criteria established by the Department or sheriff with an identification card identifying the person as being released from the County Department of Corrections or county jail. Provides that the County Department or sheriff, in consultation with the Office of the Secretary of State, shall prescribe the form of the identification card, which may be similar to the form of the standard Illinois Identification Card. Provides that the County Department or sheriff shall inform the prisoner or detainee that he or she may present the identification card to the Office of the Secretary of State upon application for a standard Illinois Identification Card in accordance with the Illinois Identification Card Act. Provides that the County Department or sheriff shall require the prisoner or detainee to pay a \$1 fee for the identification card.

LRB100 08710 RLC 18846 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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 4 and 12 as follows:

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

7 (Text of Section after amendment by P.A. 99-907)

8 Sec. 4. Identification Card.

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

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

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

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

25 (a-15) The Secretary of State may provide for an expedited
26 process for the issuance of an Illinois Identification Card.

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

14 (a-20) The Secretary of State shall issue a standard
15 Illinois Identification Card to a committed person upon release
16 on parole, mandatory supervised release, aftercare release,
17 final discharge, or pardon from the Department of Corrections
18 or Department of Juvenile Justice or to a prisoner or detainee
19 upon release from the county jail or County Department of
20 Corrections, if the released person presents a certified copy
21 of his or her birth certificate, social security card or other
22 documents authorized by the Secretary, and 2 documents proving
23 his or her Illinois residence address. Documents proving
24 residence address may include any official document of the
25 Department of Corrections, ~~or~~ the Department of Juvenile
26 Justice, County Department of Corrections, or county jail

1 showing the released person's address after release and a
2 Secretary of State prescribed certificate of residency form,
3 which may be executed by Department of Corrections, ~~or~~
4 Department of Juvenile Justice, County Department of
5 Corrections, or county jail personnel.

6 (a-25) The Secretary of State shall issue a limited-term
7 Illinois Identification Card valid for 90 days to a committed
8 person upon release on parole, mandatory supervised release,
9 aftercare release, final discharge, or pardon from the
10 Department of Corrections or Department of Juvenile Justice or
11 to a prisoner or detainee upon release from the county jail or
12 County Department of Corrections, if the released person is
13 unable to present a certified copy of his or her birth
14 certificate and social security card or other documents
15 authorized by the Secretary, but does present a Secretary of
16 State prescribed verification form completed by the Department
17 of Corrections, ~~or~~ Department of Juvenile Justice, County
18 Department of Corrections, or county jail, verifying the
19 released person's date of birth and social security number and
20 2 documents proving his or her Illinois residence address. The
21 verification form must have been completed no more than 30 days
22 prior to the date of application for the Illinois
23 Identification Card. Documents proving residence address shall
24 include any official document of the Department of Corrections, ~~or~~
25 ~~the~~ Department of Juvenile Justice, County Department of
26 Corrections, or county jail showing the person's address after

1 release and a Secretary of State prescribed certificate of
2 residency, which may be executed by Department of Corrections,
3 ~~or~~ Department of Juvenile Justice, County Department of
4 Corrections, or county jail personnel.

5 Prior to the expiration of the 90-day period of the
6 limited-term Illinois Identification Card, if the released
7 person submits to the Secretary of State a certified copy of
8 his or her birth certificate and his or her social security
9 card or other documents authorized by the Secretary, a standard
10 Illinois Identification Card shall be issued. A limited-term
11 Illinois Identification Card may not be renewed.

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

1 Identification Card, and shall include a comprehensible
2 designation of the type and classification of the applicant's
3 disability as set out in Section 4A of this Act. However, the
4 Secretary of State may provide by rule for the issuance of
5 Illinois Person with a Disability Identification Cards without
6 photographs if the applicant has a bona fide religious
7 objection to being photographed or to the display of his or her
8 photograph. If the applicant so requests, the card shall
9 include a description of the applicant's disability and any
10 information about the applicant's disability or medical
11 history which the Secretary determines would be helpful to the
12 applicant in securing emergency medical care. If a mark is used
13 in lieu of a signature, such mark shall be affixed to the card
14 in the presence of two witnesses who attest to the authenticity
15 of the mark. The Illinois Person with a Disability
16 Identification Card may be used for identification purposes in
17 any lawful situation by the person to whom it was issued.

18 The Illinois Person with a Disability Identification Card
19 may be used as adequate documentation of disability in lieu of
20 a physician's determination of disability, a determination of
21 disability from a physician assistant, a determination of
22 disability from an advanced practice nurse, or any other
23 documentation of disability whenever any State law requires
24 that a person with a disability provide such documentation of
25 disability, however an Illinois Person with a Disability
26 Identification Card shall not qualify the cardholder to

1 participate in any program or to receive any benefit which is
2 not available to all persons with like disabilities.
3 Notwithstanding any other provisions of law, an Illinois Person
4 with a Disability Identification Card, or evidence that the
5 Secretary of State has issued an Illinois Person with a
6 Disability Identification Card, shall not be used by any person
7 other than the person named on such card to prove that the
8 person named on such card is a person with a disability or for
9 any other purpose unless the card is used for the benefit of
10 the person named on such card, and the person named on such
11 card consents to such use at the time the card is so used.

12 An optometrist's determination of a visual disability
13 under Section 4A of this Act is acceptable as documentation for
14 the purpose of issuing an Illinois Person with a Disability
15 Identification Card.

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

20 (c) The Secretary of State shall provide that each original
21 or renewal Illinois Identification Card or Illinois Person with
22 a Disability Identification Card issued to a person under the
23 age of 21 shall be of a distinct nature from those Illinois
24 Identification Cards or Illinois Person with a Disability
25 Identification Cards issued to individuals 21 years of age or
26 older. The color designated for Illinois Identification Cards

1 or Illinois Person with a Disability Identification Cards for
2 persons under the age of 21 shall be at the discretion of the
3 Secretary of State.

4 (c-1) Each original or renewal Illinois Identification
5 Card or Illinois Person with a Disability Identification Card
6 issued to a person under the age of 21 shall display the date
7 upon which the person becomes 18 years of age and the date upon
8 which the person becomes 21 years of age.

9 (c-3) The General Assembly recognizes the need to identify
10 military veterans living in this State for the purpose of
11 ensuring that they receive all of the services and benefits to
12 which they are legally entitled, including healthcare,
13 education assistance, and job placement. To assist the State in
14 identifying these veterans and delivering these vital services
15 and benefits, the Secretary of State is authorized to issue
16 Illinois Identification Cards and Illinois Person with a
17 Disability Identification Cards with the word "veteran"
18 appearing on the face of the cards. This authorization is
19 predicated on the unique status of veterans. The Secretary may
20 not issue any other identification card which identifies an
21 occupation, status, affiliation, hobby, or other unique
22 characteristics of the identification card holder which is
23 unrelated to the purpose of the identification card.

24 (c-5) Beginning on or before July 1, 2015, the Secretary of
25 State shall designate a space on each original or renewal
26 identification card where, at the request of the applicant, the

1 word "veteran" shall be placed. The veteran designation shall
2 be available to a person identified as a veteran under
3 subsection (b) of Section 5 of this Act who was discharged or
4 separated under honorable conditions.

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

15 (e) The Secretary of State, in his or her discretion, may
16 designate on each Illinois Identification Card or Illinois
17 Person with a Disability Identification Card a space where the
18 card holder may place a sticker or decal, issued by the
19 Secretary of State, of uniform size as the Secretary may
20 specify, that shall indicate in appropriate language that the
21 card holder has renewed his or her Illinois Identification Card
22 or Illinois Person with a Disability Identification Card.

23 (Source: P.A. 98-323, eff. 1-1-14; 98-463, eff. 8-16-13;
24 98-558, eff. 1-1-14; 98-756, eff. 7-16-14; 99-143, eff.
25 7-27-15; 99-173, eff. 7-29-15; 99-305, eff. 1-1-16; 99-642,
26 eff. 7-28-16; 99-907, eff. 7-1-17.)

1 (15 ILCS 335/12) (from Ch. 124, par. 32)

2 (Text of Section after amendment by P.A. 99-907)

3 Sec. 12. Fees concerning standard ~~Standard~~ Illinois
4 Identification Cards. The fees required under this Act for
5 standard Illinois Identification Cards must accompany any
6 application provided for in this Act, and the Secretary shall
7 collect such fees as follows:

8	a. Original card	\$20
9	b. Renewal card	20
10	c. Corrected card	10
11	d. Duplicate card	20
12	e. Certified copy with seal	5
13	f. Search	2
14	g. Applicant 65 years of age or over	No Fee
15	h. (Blank)	
16	i. Individual living in Veterans	
17	Home or Hospital	No Fee
18	j. Original card under 18 years of age	\$10
19	k. Renewal card under 18 years of age	\$10
20	l. Corrected card under 18 years of age	\$5
21	m. Duplicate card under 18 years of age	\$10
22	n. Homeless person	No Fee
23	o. Duplicate card issued to an active-duty	
24	member of the United States Armed Forces, the	
25	member's spouse, or dependent children	

1	living with the member	No Fee
2	p. Duplicate temporary card	\$5
3	<u>q.</u> p. First card issued to a youth	
4	for whom the Department of Children	
5	and Family Services is legally responsible	
6	for or <u>a</u> foster child upon turning the age of	
7	16 years old until <u>he or she reaches</u>	
8	they reach the age of 21 years old.....	No Fee
9	<u>r.</u> p. Original card issued to a committed	
10	person upon release on parole,	
11	mandatory supervised release,	
12	aftercare release, final	
13	discharge, or pardon from the	
14	Department of Corrections or	
15	Department of Juvenile	
16	Justice <u>or to a</u>	
17	<u>prisoner or detainee</u>	
18	<u>upon release from the</u>	
19	<u>County Department of</u>	
20	<u>Corrections or county</u>	
21	<u>jail</u>	No Fee
22	<u>s.</u> e. Limited-term Illinois Identification	
23	Card issued to a committed person	
24	upon release on parole, mandatory	
25	supervised release, aftercare	
26	release, final discharge, or pardon	

1 from the Department of
 2 Corrections or Department of
 3 Juvenile Justice or to a
 4 prisoner or
 5 detainee upon release
 6 from the County
 7 Department of
 8 Corrections or county
 9 jail No Fee

10 All fees collected under this Act shall be paid into the
 11 Road Fund of the State treasury, except that the following
 12 amounts shall be paid into the General Revenue Fund: (i) 80% of
 13 the fee for an original, renewal, or duplicate Illinois
 14 Identification Card issued on or after January 1, 2005; and
 15 (ii) 80% of the fee for a corrected Illinois Identification
 16 Card issued on or after January 1, 2005.

17 An individual, who resides in a veterans home or veterans
 18 hospital operated by the State ~~state~~ or federal government, who
 19 makes an application for an Illinois Identification Card to be
 20 issued at no fee, must submit, along with the application, an
 21 affirmation by the applicant on a form provided by the
 22 Secretary of State, that such person resides in a veterans home
 23 or veterans hospital operated by the State ~~state~~ or federal
 24 government.

25 The application of a homeless individual for an Illinois
 26 Identification Card to be issued at no fee must be accompanied

1 by an affirmation by a qualified person, as defined in Section
2 4C of this Act, on a form provided by the Secretary of State,
3 that the applicant is currently homeless as defined in Section
4 1A of this Act.

5 For the application for the first Illinois Identification
6 Card of a youth for whom the Department of Children and Family
7 Services is legally responsible ~~for~~ or a foster child to be
8 issued at no fee, the youth must submit, along with the
9 application, an affirmation by his or her court appointed
10 attorney or an employee of the Department of Children and
11 Family Services on a form provided by the Secretary of State,
12 that the person is a youth for whom the Department of Children
13 and Family Services is legally responsible ~~for~~ or a foster
14 child.

15 The fee for any duplicate identification card shall be
16 waived for any person who presents the Secretary of State's
17 Office with a police report showing that his or her
18 identification card was stolen.

19 The fee for any duplicate identification card shall be
20 waived for any person age 60 or older whose identification card
21 has been lost or stolen.

22 As used in this Section, "active-duty member of the United
23 States Armed Forces" means a member of the Armed Services or
24 Reserve Forces of the United States or a member of the Illinois
25 National Guard who is called to active duty pursuant to an
26 executive order of the President of the United States, an act

1 of the Congress of the United States, or an order of the
2 Governor.

3 (Source: P.A. 99-607, eff. 7-22-16; 99-659, eff. 7-28-16;
4 99-907, eff. 7-1-17; revised 1-3-17.)

5 Section 10. The County Jail Act is amended by adding
6 Section 26.1 as follows:

7 (730 ILCS 125/26.1 new)

8 Sec. 26.1. Prisoner or detainee; identification card. Upon
9 the release of a prisoner or detainee from the County
10 Department of Corrections or county jail, the County Department
11 or sheriff shall provide the person who has met the criteria
12 established by the Department or sheriff with an identification
13 card identifying the person as being released from the County
14 Department of Corrections or county jail. The County Department
15 or sheriff, in consultation with the Office of the Secretary of
16 State, shall prescribe the form of the identification card,
17 which may be similar to the form of the standard Illinois
18 Identification Card. The County Department or sheriff shall
19 inform the prisoner or detainee that he or she may present the
20 identification card to the Office of the Secretary of State
21 upon application for a standard Illinois Identification Card in
22 accordance with the Illinois Identification Card Act. The
23 County Department or sheriff shall require the prisoner or
24 detainee to pay a \$1 fee for the identification card.

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.