

SB2903



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2903

Introduced 2/14/2018, by Sen. Karen McConnaughay

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4
15 ILCS 335/12

from Ch. 124, par. 24
from Ch. 124, par. 32

Amends the Illinois Identification Card Act. Requires the Secretary of State to issue standard Illinois Identification Cards and limited-term Illinois Identification Cards to persons upon conditional release or absolute discharge from the custody of the Department of Human Services with specified requirements. Provides the fee requirement for issuance of standard Illinois Identification Cards and limited-term Illinois Identification Cards. Effective January 1, 2019.

LRB100 15980 RJF 31098 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 Sections 4 and 12 as follows:

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

7 Sec. 4. Identification card.

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

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

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

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

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

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

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

1 personnel.

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

23 Prior to the expiration of the 90-day period of the
24 limited-term Illinois Identification Card, if the released
25 person submits to the Secretary of State a certified copy of
26 his or her birth certificate and his or her social security

1 card or other documents authorized by the Secretary, a standard
2 Illinois Identification Card shall be issued. A limited-term
3 Illinois Identification Card may not be renewed.

4 (a-30) The Secretary of State shall issue a standard
5 Illinois Identification Card to a person upon conditional
6 release or absolute discharge from the custody of the
7 Department of Human Services, if the person presents a
8 certified copy of his or her birth certificate, social security
9 card, or other documents authorized by the Secretary, and 2
10 documents proving his or her Illinois residence address. The
11 Secretary of State shall issue a standard Illinois
12 Identification Card to a person no sooner than 14 days prior to
13 his or her conditional release or absolute discharge if
14 personnel from the Department of Human Services bring the
15 person to a Secretary of State location with the required
16 documents. Documents proving residence address may include any
17 official document of the Department of Human Services showing
18 the person's address after release and a Secretary of State
19 prescribed certificate of residency form, which may be executed
20 by personnel of the Department of Human Services.

21 (a-35) The Secretary of State shall issue a limited-term
22 Illinois Identification Card valid for 90 days to a person upon
23 conditional release or absolute discharge from the custody of
24 the Department of Human Services, if the person is unable to
25 present a certified copy of his or her birth certificate and
26 social security card 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, and 2 documents proving his or her Illinois
5 residence address. The verification form must have been
6 completed no more than 30 days prior to the date of application
7 for the Illinois Identification Card. The Secretary of State
8 shall issue a limited-term Illinois Identification Card to a
9 person no sooner than 14 days prior to his or her conditional
10 release or absolute discharge if personnel from the Department
11 of Human Services bring the person to a Secretary of State
12 location with the required documents. Documents proving
13 residence address shall include any official document of the
14 Department of Human Services showing the person's address after
15 release and a Secretary of State prescribed certificate of
16 residency, which may be executed by personnel of the Department
17 of Human Services.

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

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

24 The Illinois Person with a Disability Identification Card
25 may be used as adequate documentation of disability in lieu of
26 a physician's determination of disability, a determination of

1 disability from a physician assistant, a determination of
2 disability from an advanced practice registered nurse, or any
3 other documentation of disability whenever any State law
4 requires that a person with a disability provide such
5 documentation of disability, however an Illinois Person with a
6 Disability Identification Card shall not qualify the
7 cardholder to participate in any program or to receive any
8 benefit which is not available to all persons with like
9 disabilities. Notwithstanding any other provisions of law, an
10 Illinois Person with a Disability Identification Card, or
11 evidence that the Secretary of State has issued an Illinois
12 Person with a Disability 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 person with a
15 disability or for any other purpose unless the card is used for
16 the benefit of the person named on such card, and the person
17 named on such card consents to such use at the time the card is
18 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. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
 5 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff. 7-1-17;
 6 100-513, eff. 1-1-18.)

7 (15 ILCS 335/12) (from Ch. 124, par. 32)

8 Sec. 12. Fees concerning standard Illinois Identification
 9 Cards. The fees required under this Act for standard Illinois
 10 Identification Cards must accompany any application provided
 11 for in this Act, and the Secretary shall collect such fees as
 12 follows:

13	a. Original card	\$20
14	b. Renewal card	20
15	c. Corrected card	10
16	d. Duplicate card	20
17	e. Certified copy with seal	5
18	f. Search	2
19	g. Applicant 65 years of age or over	No Fee
20	h. (Blank)	
21	i. Individual living in Veterans	
22	Home or Hospital	No Fee
23	j. Original card under 18 years of age	\$10
24	k. Renewal card under 18 years of age	\$10
25	l. Corrected card under 18 years of age	\$5

1	m. Duplicate card under 18 years of age	\$10
2	n. Homeless person	No Fee
3	o. Duplicate card issued to an active-duty	
4	member of the United States Armed Forces, the	
5	member's spouse, or dependent children	
6	living with the member	No Fee
7	p. Duplicate temporary card	\$5
8	q. First card issued to a youth	
9	for whom the Department of Children	
10	and Family Services is legally responsible	
11	or a foster child upon turning the age of	
12	16 years old until he or she reaches	
13	the age of 21 years old	No Fee
14	r. Original card issued to a committed	
15	person upon release on parole,	
16	mandatory supervised release,	
17	aftercare release, final	
18	discharge, or pardon from the	
19	Department of Corrections or	
20	Department of Juvenile Justice	No Fee
21	s. Limited-term Illinois Identification	
22	Card issued to a committed person	
23	upon release on parole, mandatory	
24	supervised release, aftercare	
25	release, final discharge, or pardon	
26	from the Department of	

1 Corrections or Department of
 2 Juvenile Justice No Fee

3 t. Original card issued to a
 4 person up to 14 days prior
 5 to or upon conditional release
 6 or absolute discharge from
 7 the Department of Human Service No Fee

8 u. Limited-term Illinois Identification
 9 Card issued to a person up to
 10 14 days prior to or upon
 11 conditional release or absolute discharge
 12 from the Department of Human Services No Fee

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

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

1 government.

2 The application of a homeless individual for an Illinois
3 Identification Card to be issued at no fee must be accompanied
4 by an affirmation by a qualified person, as defined in Section
5 4C of this Act, on a form provided by the Secretary of State,
6 that the applicant is currently homeless as defined in Section
7 1A of this Act.

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

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

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

24 As used in this Section, "active-duty member of the United
25 States Armed Forces" means a member of the Armed Services or
26 Reserve Forces of the United States or a member of the Illinois

1 National Guard who is called to active duty pursuant to an
2 executive order of the President of the United States, an act
3 of the Congress of the United States, or an order of the
4 Governor.

5 (Source: P.A. 99-607, eff. 7-22-16; 99-659, eff. 7-28-17;
6 99-907, eff. 7-1-17; 100-201, eff. 8-18-17.)

7 Section 99. Effective date. This Act takes effect January
8 1, 2019.