



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2447

Introduced 2/19/2021, by Rep. C.D. Davidsmeyer

SYNOPSIS AS INTRODUCED:

See Index

Creates the Public Safety and Justice Privacy Act. Defines terms. Provides that government agencies, persons, businesses, and associations shall not publicly post or display publicly available content that includes a law enforcement officer's, prosecutor's, public defender's, or probation officer's ("officials") personal information, provided that the government agency, person, business, or association has received a written request from the person that it refrain from disclosing the person's personal information. Provides injunctive or declaratory relief if the Act is violated. Includes procedures for a written request. Provides that it is a Class 3 felony for any person to knowingly publicly post on the Internet the personal information of an official or an official's immediate family under specified circumstances. Excludes criminal penalties for employees of government agencies who publish information in good faith during the ordinary course of carrying out public functions. Provides that the Act and any rules adopted to implement the Act shall be construed broadly to favor the protection of the personal information of officials. Amends various Acts and Codes allowing an official to list a business address rather than a home address and makes conforming changes. Effective immediately.

LRB102 14202 AWJ 19554 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning privacy.

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

4 Section 1. Short title. This Act may be cited as the Public
5 Safety and Justice Privacy Act.

6 Section 5. Definitions. As used in this Act:

7 "Assistant Public Defender" and "Assistant State's
8 Attorney" have the meanings given to those terms in Section 15
9 of the Public Interest Attorney Assistance Act.

10 "Government agency", "personal information", "publicly
11 available content", and "publicly post" or "publicly display"
12 have the meanings given to those terms in 1-10 of Judicial
13 Privacy Act.

14 "Home address" includes an official's permanent residence
15 and any secondary residences affirmatively identified by the
16 official, but does not include an official's work address.

17 "Immediate family" includes an official's spouse, child,
18 parent, or any blood relative of the official or the
19 official's spouse who lives in the same residence.

20 "Law enforcement officer" has the meaning given to that
21 term in Section 5 of the Law Enforcement Officer Bulletproof
22 Vest Act.

23 "Official" includes:

1 (1) Law enforcement officers.

2 (2) Prosecutors.

3 (3) Public defenders.

4 (4) Probation officers.

5 "Probation officer" has the meaning given to that term in
6 Section 9b of the Probation and Probation Officers Act.

7 "Prosecutor" means a State's Attorney, Assistant State's
8 Attorney, or a prosecutor for a unit of local government.

9 "Public defender" means a Public Defender or an Assistant
10 Public Defender.

11 "Written request" means written notice signed by an
12 official or a representative of the official's employer
13 requesting a government agency, person, business, or
14 association to refrain from posting or displaying publicly
15 available content that includes the official's personal
16 information.

17 Section 10. Publicly posting or displaying an official's
18 personal information by government agencies.

19 (a) Government agencies shall not publicly post or display
20 publicly available content that includes an official's
21 personal information, provided that the government agency has
22 received a written request in accordance with Section 20 that
23 it refrain from disclosing the official's personal
24 information. After a government agency has received a written
25 request, that agency shall remove the official's personal

1 information from publicly available content within 5 business
2 days. After the government agency has removed the official's
3 personal information from publicly available content, the
4 agency shall not publicly post or display the information and
5 the official's personal information shall be exempt from the
6 Freedom of Information Act unless the government agency has
7 received consent from the official to make the personal
8 information available to the public.

9 (b) If a government agency fails to comply with a written
10 request to refrain from disclosing personal information, the
11 official may bring an action in the circuit court seeking
12 injunctive or declaratory relief.

13 Section 15. Publicly posting an official's personal
14 information on the Internet by persons, businesses, and
15 associations.

16 (a) Prohibited Conduct.

17 (1) All persons, businesses, and associations shall
18 refrain from publicly posting or displaying on the
19 Internet publicly available content that includes an
20 official's personal information, provided that the
21 official has made a written request to the person,
22 business, or association that it refrain from disclosing
23 the personal information.

24 (2) No person, business, or association shall solicit,
25 sell, or trade on the Internet an official's personal

1 information with the intent to pose an imminent and
2 serious threat to the health and safety of the official or
3 the official's immediate family.

4 (3) This subsection includes, but is not limited to,
5 Internet phone directories, Internet search engines,
6 Internet data aggregators, and Internet service providers.

7 (b) Required Conduct.

8 (1) After a person, business, or association has
9 received a written request from an official to protect the
10 privacy of the officer's personal information, that
11 person, business, or association shall have 72 hours to
12 remove the personal information from the Internet.

13 (2) After a person, business, or association has
14 received a written request from an official, that person,
15 business, or association shall ensure that the official's
16 personal information is not made available on any website
17 or subsidiary website controlled by that person, business,
18 or association.

19 (3) After receiving an official's written request, no
20 person, business, or association shall transfer the
21 official's personal information to any other person,
22 business, or association through any medium.

23 (c) Redress. An official whose personal information is
24 made public as a result of a violation of this Section may
25 bring an action in the circuit court seeking injunctive or
26 declaratory relief. If the court grants injunctive or

1 declaratory relief, the person, business, or association
2 responsible for the violation shall be required to pay the
3 official's costs and reasonable attorney's fees.

4 Section 20. Procedure for completing a written request.

5 (a) No government agency, person, business, or association
6 shall be found to have violated any provision of this Act if
7 the official fails to submit a written request calling for the
8 protection of the officer's personal information.

9 (b) A written request is valid if:

10 (1) the official sends a written request directly to a
11 government agency, person, business, or association; or

12 (2) the Secretary of State creates a policy and
13 procedure for an official to file the written request with
14 the Secretary of State to notify government agencies, the
15 official may send the written request to the Secretary of
16 State as provided in the policy and procedure. In each
17 quarter of a calendar year, the Secretary of State shall
18 provide a list of all officials who have submitted a
19 written request to it to the appropriate officer with
20 ultimate supervisory authority for a government agency.
21 The officer shall promptly provide a copy of the list to
22 any and all government agencies under his or her
23 supervision. Receipt of the written request list compiled
24 by the Secretary of State by a government agency shall
25 constitute a written request to that agency for the

1 purposes of this Act.

2 (c) A representative from the official's employer may
3 submit a written request on the official's behalf, provided
4 that the official gives written consent to the representative
5 and provided that the representative agrees to furnish a copy
6 of that consent when a written request is made. The
7 representative shall submit the written request as provided in
8 subsection (b).

9 (d) An official's written request shall specify what
10 personal information shall be maintained private.

11 If an official wishes to identify a secondary residence as
12 a home address, the designation shall be made in the written
13 request.

14 An official shall disclose the identity of the officer's
15 immediate family and indicate that the personal information of
16 these family members shall also be excluded to the extent that
17 it could reasonably be expected to reveal the personal
18 information of the official.

19 (e) An official's written request is valid until the
20 official provides the government agency, person, business, or
21 association with written permission to release the private
22 information. An official's written request expires on death.

23 Section 25. Unlawful publication of personal information.

24 (a) It is unlawful for any person to knowingly publicly
25 post on the Internet the personal information of an official

1 or of the official's immediate family if the person knows or
2 reasonably should know that publicly posting the personal
3 information poses an imminent and serious threat to the health
4 and safety of the official or the official's immediate family
5 and the violation is a proximate cause of bodily injury or
6 death of the official or a member of the official's immediate
7 family. A person who violates this Section is guilty of a Class
8 3 felony.

9 (b) If an employee of a government agency has complied
10 with the provisions of this Act, it is not a violation of
11 subsection (a) if the employee publishes personal information,
12 in good faith, on the website of the government agency in the
13 ordinary course of carrying out public functions.

14 Section 30. Construction. This Act and any rules adopted
15 to implement this Act shall be construed broadly to favor the
16 protection of the personal information of officials.

17 Section 100. The Freedom of Information Act is amended by
18 changing Section 7 as follows:

19 (5 ILCS 140/7) (from Ch. 116, par. 207)

20 Sec. 7. Exemptions.

21 (1) When a request is made to inspect or copy a public
22 record that contains information that is exempt from
23 disclosure under this Section, but also contains information

1 that is not exempt from disclosure, the public body may elect
2 to redact the information that is exempt. The public body
3 shall make the remaining information available for inspection
4 and copying. Subject to this requirement, the following shall
5 be exempt from inspection and copying:

6 (a) Information specifically prohibited from
7 disclosure by federal or State law or rules and
8 regulations implementing federal or State law.

9 (b) Private information, unless disclosure is required
10 by another provision of this Act, a State or federal law or
11 a court order.

12 (b-5) Files, documents, and other data or databases
13 maintained by one or more law enforcement agencies and
14 specifically designed to provide information to one or
15 more law enforcement agencies regarding the physical or
16 mental status of one or more individual subjects.

17 (c) Personal information contained within public
18 records, the disclosure of which would constitute a
19 clearly unwarranted invasion of personal privacy, unless
20 the disclosure is consented to in writing by the
21 individual subjects of the information. "Unwarranted
22 invasion of personal privacy" means the disclosure of
23 information that is highly personal or objectionable to a
24 reasonable person and in which the subject's right to
25 privacy outweighs any legitimate public interest in
26 obtaining the information. The disclosure of information

1 that bears on the public duties of public employees and
2 officials shall not be considered an invasion of personal
3 privacy.

4 (d) Records in the possession of any public body
5 created in the course of administrative enforcement
6 proceedings, and any law enforcement or correctional
7 agency for law enforcement purposes, but only to the
8 extent that disclosure would:

9 (i) interfere with pending or actually and
10 reasonably contemplated law enforcement proceedings
11 conducted by any law enforcement or correctional
12 agency that is the recipient of the request;

13 (ii) interfere with active administrative
14 enforcement proceedings conducted by the public body
15 that is the recipient of the request;

16 (iii) create a substantial likelihood that a
17 person will be deprived of a fair trial or an impartial
18 hearing;

19 (iv) unavoidably disclose the identity of a
20 confidential source, confidential information
21 furnished only by the confidential source, or persons
22 who file complaints with or provide information to
23 administrative, investigative, law enforcement, or
24 penal agencies; except that the identities of
25 witnesses to traffic accidents, traffic accident
26 reports, and rescue reports shall be provided by

1 agencies of local government, except when disclosure
2 would interfere with an active criminal investigation
3 conducted by the agency that is the recipient of the
4 request;

5 (v) disclose unique or specialized investigative
6 techniques other than those generally used and known
7 or disclose internal documents of correctional
8 agencies related to detection, observation or
9 investigation of incidents of crime or misconduct, and
10 disclosure would result in demonstrable harm to the
11 agency or public body that is the recipient of the
12 request;

13 (vi) endanger the life or physical safety of law
14 enforcement personnel or any other person; or

15 (vii) obstruct an ongoing criminal investigation
16 by the agency that is the recipient of the request.

17 (d-5) A law enforcement record created for law
18 enforcement purposes and contained in a shared electronic
19 record management system if the law enforcement agency
20 that is the recipient of the request did not create the
21 record, did not participate in or have a role in any of the
22 events which are the subject of the record, and only has
23 access to the record through the shared electronic record
24 management system.

25 (e) Records that relate to or affect the security of
26 correctional institutions and detention facilities.

1 (e-5) Records requested by persons committed to the
2 Department of Corrections, Department of Human Services
3 Division of Mental Health, or a county jail if those
4 materials are available in the library of the correctional
5 institution or facility or jail where the inmate is
6 confined.

7 (e-6) Records requested by persons committed to the
8 Department of Corrections, Department of Human Services
9 Division of Mental Health, or a county jail if those
10 materials include records from staff members' personnel
11 files, staff rosters, or other staffing assignment
12 information.

13 (e-7) Records requested by persons committed to the
14 Department of Corrections or Department of Human Services
15 Division of Mental Health if those materials are available
16 through an administrative request to the Department of
17 Corrections or Department of Human Services Division of
18 Mental Health.

19 (e-8) Records requested by a person committed to the
20 Department of Corrections, Department of Human Services
21 Division of Mental Health, or a county jail, the
22 disclosure of which would result in the risk of harm to any
23 person or the risk of an escape from a jail or correctional
24 institution or facility.

25 (e-9) Records requested by a person in a county jail
26 or committed to the Department of Corrections or

1 Department of Human Services Division of Mental Health,
2 containing personal information pertaining to the person's
3 victim or the victim's family, including, but not limited
4 to, a victim's home address, home telephone number, work
5 or school address, work telephone number, social security
6 number, or any other identifying information, except as
7 may be relevant to a requester's current or potential case
8 or claim.

9 (e-10) Law enforcement records of other persons
10 requested by a person committed to the Department of
11 Corrections, Department of Human Services Division of
12 Mental Health, or a county jail, including, but not
13 limited to, arrest and booking records, mug shots, and
14 crime scene photographs, except as these records may be
15 relevant to the requester's current or potential case or
16 claim.

17 (f) Preliminary drafts, notes, recommendations,
18 memoranda and other records in which opinions are
19 expressed, or policies or actions are formulated, except
20 that a specific record or relevant portion of a record
21 shall not be exempt when the record is publicly cited and
22 identified by the head of the public body. The exemption
23 provided in this paragraph (f) extends to all those
24 records of officers and agencies of the General Assembly
25 that pertain to the preparation of legislative documents.

26 (g) Trade secrets and commercial or financial

1 information obtained from a person or business where the
2 trade secrets or commercial or financial information are
3 furnished under a claim that they are proprietary,
4 privileged, or confidential, and that disclosure of the
5 trade secrets or commercial or financial information would
6 cause competitive harm to the person or business, and only
7 insofar as the claim directly applies to the records
8 requested.

9 The information included under this exemption includes
10 all trade secrets and commercial or financial information
11 obtained by a public body, including a public pension
12 fund, from a private equity fund or a privately held
13 company within the investment portfolio of a private
14 equity fund as a result of either investing or evaluating
15 a potential investment of public funds in a private equity
16 fund. The exemption contained in this item does not apply
17 to the aggregate financial performance information of a
18 private equity fund, nor to the identity of the fund's
19 managers or general partners. The exemption contained in
20 this item does not apply to the identity of a privately
21 held company within the investment portfolio of a private
22 equity fund, unless the disclosure of the identity of a
23 privately held company may cause competitive harm.

24 Nothing contained in this paragraph (g) shall be
25 construed to prevent a person or business from consenting
26 to disclosure.

1 (h) Proposals and bids for any contract, grant, or
2 agreement, including information which if it were
3 disclosed would frustrate procurement or give an advantage
4 to any person proposing to enter into a contractor
5 agreement with the body, until an award or final selection
6 is made. Information prepared by or for the body in
7 preparation of a bid solicitation shall be exempt until an
8 award or final selection is made.

9 (i) Valuable formulae, computer geographic systems,
10 designs, drawings and research data obtained or produced
11 by any public body when disclosure could reasonably be
12 expected to produce private gain or public loss. The
13 exemption for "computer geographic systems" provided in
14 this paragraph (i) does not extend to requests made by
15 news media as defined in Section 2 of this Act when the
16 requested information is not otherwise exempt and the only
17 purpose of the request is to access and disseminate
18 information regarding the health, safety, welfare, or
19 legal rights of the general public.

20 (j) The following information pertaining to
21 educational matters:

22 (i) test questions, scoring keys and other
23 examination data used to administer an academic
24 examination;

25 (ii) information received by a primary or
26 secondary school, college, or university under its

1 procedures for the evaluation of faculty members by
2 their academic peers;

3 (iii) information concerning a school or
4 university's adjudication of student disciplinary
5 cases, but only to the extent that disclosure would
6 unavoidably reveal the identity of the student; and

7 (iv) course materials or research materials used
8 by faculty members.

9 (k) Architects' plans, engineers' technical
10 submissions, and other construction related technical
11 documents for projects not constructed or developed in
12 whole or in part with public funds and the same for
13 projects constructed or developed with public funds,
14 including, but not limited to, power generating and
15 distribution stations and other transmission and
16 distribution facilities, water treatment facilities,
17 airport facilities, sport stadiums, convention centers,
18 and all government owned, operated, or occupied buildings,
19 but only to the extent that disclosure would compromise
20 security.

21 (l) Minutes of meetings of public bodies closed to the
22 public as provided in the Open Meetings Act until the
23 public body makes the minutes available to the public
24 under Section 2.06 of the Open Meetings Act.

25 (m) Communications between a public body and an
26 attorney or auditor representing the public body that

1 would not be subject to discovery in litigation, and
2 materials prepared or compiled by or for a public body in
3 anticipation of a criminal, civil, or administrative
4 proceeding upon the request of an attorney advising the
5 public body, and materials prepared or compiled with
6 respect to internal audits of public bodies.

7 (n) Records relating to a public body's adjudication
8 of employee grievances or disciplinary cases; however,
9 this exemption shall not extend to the final outcome of
10 cases in which discipline is imposed.

11 (o) Administrative or technical information associated
12 with automated data processing operations, including, but
13 not limited to, software, operating protocols, computer
14 program abstracts, file layouts, source listings, object
15 modules, load modules, user guides, documentation
16 pertaining to all logical and physical design of
17 computerized systems, employee manuals, and any other
18 information that, if disclosed, would jeopardize the
19 security of the system or its data or the security of
20 materials exempt under this Section.

21 (p) Records relating to collective negotiating matters
22 between public bodies and their employees or
23 representatives, except that any final contract or
24 agreement shall be subject to inspection and copying.

25 (q) Test questions, scoring keys, and other
26 examination data used to determine the qualifications of

1 an applicant for a license or employment.

2 (r) The records, documents, and information relating
3 to real estate purchase negotiations until those
4 negotiations have been completed or otherwise terminated.
5 With regard to a parcel involved in a pending or actually
6 and reasonably contemplated eminent domain proceeding
7 under the Eminent Domain Act, records, documents, and
8 information relating to that parcel shall be exempt except
9 as may be allowed under discovery rules adopted by the
10 Illinois Supreme Court. The records, documents, and
11 information relating to a real estate sale shall be exempt
12 until a sale is consummated.

13 (s) Any and all proprietary information and records
14 related to the operation of an intergovernmental risk
15 management association or self-insurance pool or jointly
16 self-administered health and accident cooperative or pool.
17 Insurance or self insurance (including any
18 intergovernmental risk management association or self
19 insurance pool) claims, loss or risk management
20 information, records, data, advice or communications.

21 (t) Information contained in or related to
22 examination, operating, or condition reports prepared by,
23 on behalf of, or for the use of a public body responsible
24 for the regulation or supervision of financial
25 institutions, insurance companies, or pharmacy benefit
26 managers, unless disclosure is otherwise required by State

1 law.

2 (u) Information that would disclose or might lead to
3 the disclosure of secret or confidential information,
4 codes, algorithms, programs, or private keys intended to
5 be used to create electronic or digital signatures under
6 the Electronic Commerce Security Act.

7 (v) Vulnerability assessments, security measures, and
8 response policies or plans that are designed to identify,
9 prevent, or respond to potential attacks upon a
10 community's population or systems, facilities, or
11 installations, the destruction or contamination of which
12 would constitute a clear and present danger to the health
13 or safety of the community, but only to the extent that
14 disclosure could reasonably be expected to jeopardize the
15 effectiveness of the measures or the safety of the
16 personnel who implement them or the public. Information
17 exempt under this item may include such things as details
18 pertaining to the mobilization or deployment of personnel
19 or equipment, to the operation of communication systems or
20 protocols, or to tactical operations.

21 (w) (Blank).

22 (x) Maps and other records regarding the location or
23 security of generation, transmission, distribution,
24 storage, gathering, treatment, or switching facilities
25 owned by a utility, by a power generator, or by the
26 Illinois Power Agency.

1 (y) Information contained in or related to proposals,
2 bids, or negotiations related to electric power
3 procurement under Section 1-75 of the Illinois Power
4 Agency Act and Section 16-111.5 of the Public Utilities
5 Act that is determined to be confidential and proprietary
6 by the Illinois Power Agency or by the Illinois Commerce
7 Commission.

8 (z) Information about students exempted from
9 disclosure under Sections 10-20.38 or 34-18.29 of the
10 School Code, and information about undergraduate students
11 enrolled at an institution of higher education exempted
12 from disclosure under Section 25 of the Illinois Credit
13 Card Marketing Act of 2009.

14 (aa) Information the disclosure of which is exempted
15 under the Viatical Settlements Act of 2009.

16 (bb) Records and information provided to a mortality
17 review team and records maintained by a mortality review
18 team appointed under the Department of Juvenile Justice
19 Mortality Review Team Act.

20 (cc) Information regarding interments, entombments, or
21 inurnments of human remains that are submitted to the
22 Cemetery Oversight Database under the Cemetery Care Act or
23 the Cemetery Oversight Act, whichever is applicable.

24 (dd) Correspondence and records (i) that may not be
25 disclosed under Section 11-9 of the Illinois Public Aid
26 Code or (ii) that pertain to appeals under Section 11-8 of

1 the Illinois Public Aid Code.

2 (ee) The names, addresses, or other personal
3 information of persons who are minors and are also
4 participants and registrants in programs of park
5 districts, forest preserve districts, conservation
6 districts, recreation agencies, and special recreation
7 associations.

8 (ff) The names, addresses, or other personal
9 information of participants and registrants in programs of
10 park districts, forest preserve districts, conservation
11 districts, recreation agencies, and special recreation
12 associations where such programs are targeted primarily to
13 minors.

14 (gg) Confidential information described in Section
15 1-100 of the Illinois Independent Tax Tribunal Act of
16 2012.

17 (hh) The report submitted to the State Board of
18 Education by the School Security and Standards Task Force
19 under item (8) of subsection (d) of Section 2-3.160 of the
20 School Code and any information contained in that report.

21 (ii) Records requested by persons committed to or
22 detained by the Department of Human Services under the
23 Sexually Violent Persons Commitment Act or committed to
24 the Department of Corrections under the Sexually Dangerous
25 Persons Act if those materials: (i) are available in the
26 library of the facility where the individual is confined;

1 (ii) include records from staff members' personnel files,
2 staff rosters, or other staffing assignment information;
3 or (iii) are available through an administrative request
4 to the Department of Human Services or the Department of
5 Corrections.

6 (jj) Confidential information described in Section
7 5-535 of the Civil Administrative Code of Illinois.

8 (kk) The public body's credit card numbers, debit card
9 numbers, bank account numbers, Federal Employer
10 Identification Number, security code numbers, passwords,
11 and similar account information, the disclosure of which
12 could result in identity theft or impression or defrauding
13 of a governmental entity or a person.

14 (ll) ~~(kk)~~ Records concerning the work of the threat
15 assessment team of a school district.

16 (1.5) Any information exempt from disclosure under the
17 Judicial Privacy Act and the Public Safety and Justice Privacy
18 Act shall be redacted from public records prior to disclosure
19 under this Act.

20 (2) A public record that is not in the possession of a
21 public body but is in the possession of a party with whom the
22 agency has contracted to perform a governmental function on
23 behalf of the public body, and that directly relates to the
24 governmental function and is not otherwise exempt under this
25 Act, shall be considered a public record of the public body,
26 for purposes of this Act.

1 (3) This Section does not authorize withholding of
2 information or limit the availability of records to the
3 public, except as stated in this Section or otherwise provided
4 in this Act.

5 (Source: P.A. 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;
6 100-732, eff. 8-3-18; 101-434, eff. 1-1-20; 101-452, eff.
7 1-1-20; 101-455, eff. 8-23-19; revised 9-27-19.)

8 Section 105. The Election Code is amended by adding
9 Section 10-10.3 as follows:

10 (10 ILCS 5/10-10.3 new)

11 Sec. 10-10.3. Removal of an official's address information
12 from the certificate of nomination or nomination papers.

13 (a) As used in this Section, "home address" and "official"
14 have the meanings given to those terms in Section 5 of the
15 Public Safety and Justice Privacy Act.

16 (b) Upon expiration of the period for filing an objection
17 to an official's certificate of nomination or nomination
18 papers, an official who is a candidate may file a written
19 request with the State Board of Elections for redaction of the
20 official's home address information from his or her
21 certificate of nomination or nomination papers. After receipt
22 of the official's written request, the State Board of
23 Elections shall redact or cause redaction of the official's
24 home address from his or her certificate of nomination or

1 nomination papers within 5 business days.

2 (c) Prior to expiration of the period for filing an
3 objection to an official's certificate of nomination or
4 nomination papers, the home address information from the
5 certificate of nomination or nomination papers of an official
6 who is a candidate is available for public inspection. After
7 redaction of an official's home address information under
8 subsection (b), the home address information is only available
9 for an in camera inspection by the court reviewing an
10 objection to the official's certificate of nomination or
11 nomination papers.

12 Section 110. The Illinois Identification Card Act is
13 amended by changing Sections 4 and 5 as follows:

14 (15 ILCS 335/4) (from Ch. 124, par. 24)

15 Sec. 4. Identification card.

16 (a) The Secretary of State shall issue a standard Illinois
17 Identification Card to any natural person who is a resident of
18 the State of Illinois who applies for such card, or renewal
19 thereof. No identification card shall be issued to any person
20 who holds a valid foreign state identification card, license,
21 or permit unless the person first surrenders to the Secretary
22 of State the valid foreign state identification card, license,
23 or permit. The card shall be prepared and supplied by the
24 Secretary of State and shall include a photograph and

1 signature or mark of the applicant. However, the Secretary of
2 State may provide by rule for the issuance of Illinois
3 Identification Cards without photographs if the applicant has
4 a bona fide religious objection to being photographed or to
5 the display of his or her photograph. The Illinois
6 Identification Card may be used for identification purposes in
7 any lawful situation only by the person to whom it was issued.
8 As used in this Act, "photograph" means any color photograph
9 or digitally produced and captured image of an applicant for
10 an identification card. As used in this Act, "signature" means
11 the name of a person as written by that person and captured in
12 a manner acceptable to the Secretary of State.

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

20 (a-10) If the applicant is a judicial officer as defined
21 in Section 1-10 of the Judicial Privacy Act, an official as
22 defined in Section 5 of the Public Safety and Justice Privacy
23 Act, or a peace officer, the applicant may elect to have his or
24 her office or work address listed on the card instead of the
25 applicant's residence or mailing address. The Secretary may
26 promulgate rules to implement this provision. For the purposes

1 of this subsection (a-10), "peace officer" means any person
2 who by virtue of his or her office or public employment is
3 vested by law with a duty to maintain public order or to make
4 arrests for a violation of any penal statute of this State,
5 whether that duty extends to all violations or is limited to
6 specific violations.

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

22 (a-20) The Secretary of State shall issue a standard
23 Illinois Identification Card to a committed person upon
24 release on parole, mandatory supervised release, aftercare
25 release, final discharge, or pardon from the Department of
26 Corrections or Department of Juvenile Justice, if the released

1 person presents a certified copy of his or her birth
2 certificate, social security card or other documents
3 authorized by the Secretary, and 2 documents proving his or
4 her Illinois residence address. Documents proving residence
5 address may include any official document of the Department of
6 Corrections or the Department of Juvenile Justice showing the
7 released person's address after release and a Secretary of
8 State prescribed certificate of residency form, which may be
9 executed by Department of Corrections or Department of
10 Juvenile Justice personnel.

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

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

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

13 (a-30) The Secretary of State shall issue a standard
14 Illinois Identification Card to a person upon conditional
15 release or absolute discharge from the custody of the
16 Department of Human Services, if the person presents a
17 certified copy of his or her birth certificate, social
18 security card, or other documents authorized by the Secretary,
19 and a document proving his or her Illinois residence address.
20 The Secretary of State shall issue a standard Illinois
21 Identification Card to a person no sooner than 14 days prior to
22 his or her conditional release or absolute discharge if
23 personnel from the Department of Human Services bring the
24 person to a Secretary of State location with the required
25 documents. Documents proving residence address may include any
26 official document of the Department of Human Services showing

1 the person's address after release and a Secretary of State
2 prescribed verification form, which may be executed by
3 personnel of the Department of Human Services.

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

1 (b) The Secretary of State shall issue a special Illinois
2 Identification Card, which shall be known as an Illinois
3 Person with a Disability Identification Card, to any natural
4 person who is a resident of the State of Illinois, who is a
5 person with a disability as defined in Section 4A of this Act,
6 who applies for such card, or renewal thereof. No Illinois
7 Person with a Disability Identification Card shall be issued
8 to any person who holds a valid foreign state identification
9 card, license, or permit unless the person first surrenders to
10 the Secretary of State the valid foreign state identification
11 card, license, or permit. The Secretary of State shall charge
12 no fee to issue such card. The card shall be prepared and
13 supplied by the Secretary of State, and shall include a
14 photograph and signature or mark of the applicant, a
15 designation indicating that the card is an Illinois Person
16 with a Disability Identification Card, and shall include a
17 comprehensible designation of the type and classification of
18 the applicant's disability as set out in Section 4A of this
19 Act. However, the Secretary of State may provide by rule for
20 the issuance of Illinois Person with a Disability
21 Identification Cards without photographs if the applicant has
22 a bona fide religious objection to being photographed or to
23 the display of his or her photograph. If the applicant so
24 requests, the card shall include a description of the
25 applicant's disability and any information about the
26 applicant's disability or medical history which the Secretary

1 determines would be helpful to the applicant in securing
2 emergency medical care. If a mark is used in lieu of a
3 signature, such mark shall be affixed to the card in the
4 presence of two witnesses who attest to the authenticity of
5 the mark. The Illinois Person with a Disability Identification
6 Card may be used for identification purposes in any lawful
7 situation by the person to whom it was issued.

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

1 named on such card consents to such use at the time the card is
2 so used.

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

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

11 (c) The Secretary of State shall provide that each
12 original or renewal Illinois Identification Card or Illinois
13 Person with a Disability Identification Card issued to a
14 person under the age of 21 shall be of a distinct nature from
15 those Illinois Identification Cards or Illinois Person with a
16 Disability Identification Cards issued to individuals 21 years
17 of age or older. The color designated for Illinois
18 Identification Cards or Illinois Person with a Disability
19 Identification Cards for persons under the age of 21 shall be
20 at the discretion of the Secretary of State.

21 (c-1) Each original or renewal Illinois Identification
22 Card or Illinois Person with a Disability Identification Card
23 issued to a person under the age of 21 shall display the date
24 upon which the person becomes 18 years of age and the date upon
25 which the person becomes 21 years of age.

26 (c-3) The General Assembly recognizes the need to identify

1 military veterans living in this State for the purpose of
2 ensuring that they receive all of the services and benefits to
3 which they are legally entitled, including healthcare,
4 education assistance, and job placement. To assist the State
5 in identifying these veterans and delivering these vital
6 services and benefits, the Secretary of State is authorized to
7 issue Illinois Identification Cards and Illinois Person with a
8 Disability Identification Cards with the word "veteran"
9 appearing on the face of the cards. This authorization is
10 predicated on the unique status of veterans. The Secretary may
11 not issue any other identification card which identifies an
12 occupation, status, affiliation, hobby, or other unique
13 characteristics of the identification card holder which is
14 unrelated to the purpose of the identification card.

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

22 (d) The Secretary of State may issue a Senior Citizen
23 discount card, to any natural person who is a resident of the
24 State of Illinois who is 60 years of age or older and who
25 applies for such a card or renewal thereof. The Secretary of
26 State shall charge no fee to issue such card. The card shall be

1 issued in every county and applications shall be made
2 available at, but not limited to, nutrition sites, senior
3 citizen centers and Area Agencies on Aging. The applicant,
4 upon receipt of such card and prior to its use for any purpose,
5 shall have affixed thereon in the space provided therefor his
6 signature or mark.

7 (e) The Secretary of State, in his or her discretion, may
8 designate on each Illinois Identification Card or Illinois
9 Person with a Disability Identification Card a space where the
10 card holder may place a sticker or decal, issued by the
11 Secretary of State, of uniform size as the Secretary may
12 specify, that shall indicate in appropriate language that the
13 card holder has renewed his or her Illinois Identification
14 Card or Illinois Person with a Disability Identification Card.

15 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
16 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff.
17 7-1-17; 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

18 (15 ILCS 335/5) (from Ch. 124, par. 25)

19 Sec. 5. Applications.

20 (a) Any natural person who is a resident of the State of
21 Illinois may file an application for an identification card,
22 or for the renewal thereof, in a manner prescribed by the
23 Secretary. Each original application shall be completed by the
24 applicant in full and shall set forth the legal name,
25 residence address and zip code, social security number, birth

1 date, sex and a brief description of the applicant. The
2 applicant shall be photographed, unless the Secretary of State
3 has provided by rule for the issuance of identification cards
4 without photographs and the applicant is deemed eligible for
5 an identification card without a photograph under the terms
6 and conditions imposed by the Secretary of State, and he or she
7 shall also submit any other information as the Secretary may
8 deem necessary or such documentation as the Secretary may
9 require to determine the identity of the applicant. In
10 addition to the residence address, the Secretary may allow the
11 applicant to provide a mailing address. If the applicant is a
12 judicial officer as defined in Section 1-10 of the Judicial
13 Privacy Act, an official as defined in Section 5 of the Public
14 Safety and Justice Privacy Act, or a peace officer, the
15 applicant may elect to have his or her office or work address
16 in lieu of the applicant's residence or mailing address. An
17 applicant for an Illinois Person with a Disability
18 Identification Card must also submit with each original or
19 renewal application, on forms prescribed by the Secretary,
20 such documentation as the Secretary may require, establishing
21 that the applicant is a "person with a disability" as defined
22 in Section 4A of this Act, and setting forth the applicant's
23 type and class of disability as set forth in Section 4A of this
24 Act. For the purposes of this subsection (a), "peace officer"
25 means any person who by virtue of his or her office or public
26 employment is vested by law with a duty to maintain public

1 order or to make arrests for a violation of any penal statute
2 of this State, whether that duty extends to all violations or
3 is limited to specific violations.

4 (a-5) Upon the first issuance of a request for proposals
5 for a digital driver's license and identification card
6 issuance and facial recognition system issued after January 1,
7 2020 (the effective date of Public Act 101-513) ~~this~~
8 ~~amendatory Act of the 101st General Assembly~~, and upon
9 implementation of a new or revised system procured pursuant to
10 that request for proposals, the Secretary shall permit
11 applicants to choose between "male", "female", or "non-binary"
12 when designating the applicant's sex on the identification
13 card application form. The sex designated by the applicant
14 shall be displayed on the identification card issued to the
15 applicant.

16 (b) Beginning on or before July 1, 2015, for each original
17 or renewal identification card application under this Act, the
18 Secretary shall inquire as to whether the applicant is a
19 veteran for purposes of issuing an identification card with a
20 veteran designation under subsection (c-5) of Section 4 of
21 this Act. The acceptable forms of proof shall include, but are
22 not limited to, Department of Defense form DD-214, Department
23 of Defense form DD-256 for applicants who did not receive a
24 form DD-214 upon the completion of initial basic training,
25 Department of Defense form DD-2 (Retired), an identification
26 card issued under the federal Veterans Identification Card Act

1 of 2015, or a United States Department of Veterans Affairs
2 summary of benefits letter. If the document cannot be stamped,
3 the Illinois Department of Veterans' Affairs shall provide a
4 certificate to the veteran to provide to the Secretary of
5 State. The Illinois Department of Veterans' Affairs shall
6 advise the Secretary as to what other forms of proof of a
7 person's status as a veteran are acceptable.

8 For each applicant who is issued an identification card
9 with a veteran designation, the Secretary shall provide the
10 Department of Veterans' Affairs with the applicant's name,
11 address, date of birth, gender, and such other demographic
12 information as agreed to by the Secretary and the Department.
13 The Department may take steps necessary to confirm the
14 applicant is a veteran. If after due diligence, including
15 writing to the applicant at the address provided by the
16 Secretary, the Department is unable to verify the applicant's
17 veteran status, the Department shall inform the Secretary, who
18 shall notify the applicant that he or she must confirm status
19 as a veteran, or the identification card will be cancelled.

20 For purposes of this subsection (b):

21 "Armed forces" means any of the Armed Forces of the United
22 States, including a member of any reserve component or
23 National Guard unit.

24 "Veteran" means a person who has served in the armed
25 forces and was discharged or separated under honorable
26 conditions.

1 (c) All applicants for REAL ID compliant standard Illinois
2 Identification Cards and Illinois Person with a Disability
3 Identification Cards shall provide proof of lawful status in
4 the United States as defined in 6 CFR 37.3, as amended.
5 Applicants who are unable to provide the Secretary with proof
6 of lawful status are ineligible for REAL ID compliant
7 identification cards under this Act.

8 (Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17;
9 100-811, eff. 1-1-19; 101-106, eff. 1-1-20; 101-287, eff.
10 8-9-19; 101-513, eff. 1-1-20; revised 9-25-19.)

11 Section 115. The Illinois Vehicle Code is amended by
12 changing Sections 3-405, 6-106, and 6-110 as follows:

13 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

14 Sec. 3-405. Application for registration.

15 (a) Every owner of a vehicle subject to registration under
16 this Code shall make application to the Secretary of State for
17 the registration of such vehicle upon the appropriate form or
18 forms furnished by the Secretary. Every such application shall
19 bear the signature of the owner written with pen and ink and
20 contain:

21 1. The name, domicile address, as defined in Section
22 1-115.5 of this Code, (except as otherwise provided in
23 this paragraph 1), mail address of the owner or business
24 address of the owner if a firm, association, or

1 corporation, and, if available, email address of the
2 owner. If the mailing address is a post office box number,
3 the address listed on the driver license record may be
4 used to verify residence. A police officer, a deputy
5 sheriff, an elected sheriff, a law enforcement officer for
6 the Department of State Police, a fire investigator, a
7 state's attorney, an assistant state's attorney, a state's
8 attorney special investigator, an official, or a judicial
9 officer may elect to furnish the address of the
10 headquarters of the governmental entity, police district,
11 or business address where he or she works instead of his or
12 her domicile address, in which case that address shall be
13 deemed to be his or her domicile address for all purposes
14 under this Chapter 3. The spouse and children of a person
15 who may elect under this paragraph 1 to furnish the
16 address of the headquarters of the government entity,
17 police district, or business address where the person
18 works instead of the person's domicile address may, if
19 they reside with that person, also elect to furnish the
20 address of the headquarters of the government entity,
21 police district, or business address where the person
22 works as their domicile address, in which case that
23 address shall be deemed to be their domicile address for
24 all purposes under this Chapter 3. In this paragraph 1:
25 (A) "police officer" has the meaning ascribed to
26 "policeman" in Section 10-3-1 of the Illinois Municipal

1 Code; (B) "deputy sheriff" means a deputy sheriff
2 appointed under Section 3-6008 of the Counties Code; (C)
3 "elected sheriff" means a sheriff commissioned pursuant to
4 Section 3-6001 of the Counties Code; (D) "fire
5 investigator" means a person classified as a peace officer
6 under the Peace Officer Fire Investigation Act; (E)
7 "state's attorney", "assistant state's attorney", and
8 "state's attorney special investigator" mean a state's
9 attorney, assistant state's attorney, and state's attorney
10 special investigator commissioned or appointed under
11 Division 3-9 of the Counties Code; ~~and~~ (F) "judicial
12 officer" has the meaning ascribed to it in Section 1-10 of
13 the Judicial Privacy Act; and (G) "official" has the
14 meaning ascribed to it in Section 5 of the Public Safety
15 and Justice Privacy Act.

16 2. A description of the vehicle, including such
17 information as is required in an application for a
18 certificate of title, determined under such standard
19 rating as may be prescribed by the Secretary.

20 3. (Blank).

21 4. Such further information as may reasonably be
22 required by the Secretary to enable him to determine
23 whether the vehicle is lawfully entitled to registration
24 and the owner entitled to a certificate of title.

25 5. An affirmation by the applicant that all
26 information set forth is true and correct. If the

1 application is for the registration of a motor vehicle,
2 the applicant also shall affirm that the motor vehicle is
3 insured as required by this Code, that such insurance will
4 be maintained throughout the period for which the motor
5 vehicle shall be registered, and that neither the owner,
6 nor any person operating the motor vehicle with the
7 owner's permission, shall operate the motor vehicle unless
8 the required insurance is in effect. If the person signing
9 the affirmation is not the sole owner of the vehicle, such
10 person shall be deemed to have affirmed on behalf of all
11 the owners of the vehicle. If the person signing the
12 affirmation is not an owner of the vehicle, such person
13 shall be deemed to have affirmed on behalf of the owner or
14 owners of the vehicle. The lack of signature on the
15 application shall not in any manner exempt the owner or
16 owners from any provisions, requirements or penalties of
17 this Code.

18 (b) When such application refers to a new vehicle
19 purchased from a dealer the application shall be accompanied
20 by a Manufacturer's Statement of Origin from the dealer, and a
21 statement showing any lien retained by the dealer.

22 (Source: P.A. 100-145, eff. 1-1-18.)

23 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

24 Sec. 6-106. Application for license or instruction permit.

25 (a) Every application for any permit or license authorized

1 to be issued under this Code shall be made upon a form
2 furnished by the Secretary of State. Every application shall
3 be accompanied by the proper fee and payment of such fee shall
4 entitle the applicant to not more than 3 attempts to pass the
5 examination within a period of one year after the date of
6 application.

7 (b) Every application shall state the legal name, social
8 security number, zip code, date of birth, sex, and residence
9 address of the applicant; briefly describe the applicant;
10 state whether the applicant has theretofore been licensed as a
11 driver, and, if so, when and by what state or country, and
12 whether any such license has ever been cancelled, suspended,
13 revoked or refused, and, if so, the date and reason for such
14 cancellation, suspension, revocation or refusal; shall include
15 an affirmation by the applicant that all information set forth
16 is true and correct; and shall bear the applicant's signature.
17 In addition to the residence address, the Secretary may allow
18 the applicant to provide a mailing address. In the case of an
19 applicant who is a judicial officer, official, or peace
20 officer, the Secretary may allow the applicant to provide an
21 office or work address in lieu of a residence or mailing
22 address. The application form may also require the statement
23 of such additional relevant information as the Secretary of
24 State shall deem necessary to determine the applicant's
25 competency and eligibility. The Secretary of State may, in his
26 discretion, by rule or regulation, provide that an application

1 for a drivers license or permit may include a suitable
2 photograph of the applicant in the form prescribed by the
3 Secretary, and he may further provide that each drivers
4 license shall include a photograph of the driver. The
5 Secretary of State may utilize a photograph process or system
6 most suitable to deter alteration or improper reproduction of
7 a drivers license and to prevent substitution of another photo
8 thereon. For the purposes of this subsection (b) ~~is~~

9 "Official" has the meaning ascribed to it in Section 5 of
10 the Public Safety and Justice Privacy Act.

11 "Peace ~~peace~~ officer" means any person who by virtue of
12 his or her office or public employment is vested by law with a
13 duty to maintain public order or to make arrests for a
14 violation of any penal statute of this State, whether that
15 duty extends to all violations or is limited to specific
16 violations.

17 (b-3) Upon the first issuance of a request for proposals
18 for a digital driver's license and identification card
19 issuance and facial recognition system issued after January 1,
20 2020 (the effective date of Public Act 101-513) ~~this~~
21 ~~amendatory Act of the 101st General Assembly,~~ and upon
22 implementation of a new or revised system procured pursuant to
23 that request for proposals, the Secretary shall permit
24 applicants to choose between "male", "female" or "non-binary"
25 when designating the applicant's sex on the driver's license
26 application form. The sex designated by the applicant shall be

1 displayed on the driver's license issued to the applicant.

2 (b-5) Every applicant for a REAL ID compliant driver's
3 license or permit shall provide proof of lawful status in the
4 United States as defined in 6 CFR 37.3, as amended. Applicants
5 who are unable to provide the Secretary with proof of lawful
6 status may apply for a driver's license or permit under
7 Section 6-105.1 of this Code.

8 (c) The application form shall include a notice to the
9 applicant of the registration obligations of sex offenders
10 under the Sex Offender Registration Act. The notice shall be
11 provided in a form and manner prescribed by the Secretary of
12 State. For purposes of this subsection (c), "sex offender" has
13 the meaning ascribed to it in Section 2 of the Sex Offender
14 Registration Act.

15 (d) Any male United States citizen or immigrant who
16 applies for any permit or license authorized to be issued
17 under this Code or for a renewal of any permit or license, and
18 who is at least 18 years of age but less than 26 years of age,
19 must be registered in compliance with the requirements of the
20 federal Military Selective Service Act. The Secretary of State
21 must forward in an electronic format the necessary personal
22 information regarding the applicants identified in this
23 subsection (d) to the Selective Service System. The
24 applicant's signature on the application serves as an
25 indication that the applicant either has already registered
26 with the Selective Service System or that he is authorizing

1 the Secretary to forward to the Selective Service System the
2 necessary information for registration. The Secretary must
3 notify the applicant at the time of application that his
4 signature constitutes consent to registration with the
5 Selective Service System, if he is not already registered.

6 (e) Beginning on or before July 1, 2015, for each original
7 or renewal driver's license application under this Code, the
8 Secretary shall inquire as to whether the applicant is a
9 veteran for purposes of issuing a driver's license with a
10 veteran designation under subsection (e-5) of Section 6-110 of
11 this Code. The acceptable forms of proof shall include, but
12 are not limited to, Department of Defense form DD-214,
13 Department of Defense form DD-256 for applicants who did not
14 receive a form DD-214 upon the completion of initial basic
15 training, Department of Defense form DD-2 (Retired), an
16 identification card issued under the federal Veterans
17 Identification Card Act of 2015, or a United States Department
18 of Veterans Affairs summary of benefits letter. If the
19 document cannot be stamped, the Illinois Department of
20 Veterans' Affairs shall provide a certificate to the veteran
21 to provide to the Secretary of State. The Illinois Department
22 of Veterans' Affairs shall advise the Secretary as to what
23 other forms of proof of a person's status as a veteran are
24 acceptable.

25 For each applicant who is issued a driver's license with a
26 veteran designation, the Secretary shall provide the

1 Department of Veterans' Affairs with the applicant's name,
2 address, date of birth, gender and such other demographic
3 information as agreed to by the Secretary and the Department.
4 The Department may take steps necessary to confirm the
5 applicant is a veteran. If after due diligence, including
6 writing to the applicant at the address provided by the
7 Secretary, the Department is unable to verify the applicant's
8 veteran status, the Department shall inform the Secretary, who
9 shall notify the applicant that ~~the~~ he or she must confirm
10 status as a veteran, or the driver's license will be
11 cancelled.

12 For purposes of this subsection (e):

13 "Armed forces" means any of the Armed Forces of the United
14 States, including a member of any reserve component or
15 National Guard unit.

16 "Veteran" means a person who has served in the armed
17 forces and was discharged or separated under honorable
18 conditions.

19 (Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17;
20 100-811, eff. 1-1-19; 101-106, eff. 1-1-20; 101-287, eff.
21 8-9-19; 101-513, eff. 1-1-20; revised 8-24-20.)

22 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

23 Sec. 6-110. Licenses issued to drivers.

24 (a) The Secretary of State shall issue to every qualifying
25 applicant a driver's license as applied for, which license

1 shall bear a distinguishing number assigned to the licensee,
2 the legal name, signature, zip code, date of birth, residence
3 address, and a brief description of the licensee.

4 Licenses issued shall also indicate the classification and
5 the restrictions under Section 6-104 of this Code. The
6 Secretary may adopt rules to establish informational
7 restrictions that can be placed on the driver's license
8 regarding specific conditions of the licensee.

9 A driver's license issued may, in the discretion of the
10 Secretary, include a suitable photograph of a type prescribed
11 by the Secretary.

12 (a-1) If the licensee is less than 18 years of age, unless
13 one of the exceptions in subsection (a-2) apply, the license
14 shall, as a matter of law, be invalid for the operation of any
15 motor vehicle during the following times:

16 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

17 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on
18 Sunday; and

19 (C) Between 10:00 p.m. on Sunday to Thursday,
20 inclusive, and 6:00 a.m. on the following day.

21 (a-2) The driver's license of a person under the age of 18
22 shall not be invalid as described in subsection (a-1) of this
23 Section if the licensee under the age of 18 was:

24 (1) accompanied by the licensee's parent or guardian
25 or other person in custody or control of the minor;

26 (2) on an errand at the direction of the minor's

1 parent or guardian, without any detour or stop;

2 (3) in a motor vehicle involved in interstate travel;

3 (4) going to or returning home from an employment
4 activity, without any detour or stop;

5 (5) involved in an emergency;

6 (6) going to or returning home from, without any
7 detour or stop, an official school, religious, or other
8 recreational activity supervised by adults and sponsored
9 by a government or governmental agency, a civic
10 organization, or another similar entity that takes
11 responsibility for the licensee, without any detour or
12 stop;

13 (7) exercising First Amendment rights protected by the
14 United States Constitution, such as the free exercise of
15 religion, freedom of speech, and the right of assembly; or

16 (8) married or had been married or is an emancipated
17 minor under the Emancipation of Minors Act.

18 (a-2.5) The driver's license of a person who is 17 years of
19 age and has been licensed for at least 12 months is not invalid
20 as described in subsection (a-1) of this Section while the
21 licensee is participating as an assigned driver in a Safe
22 Rides program that meets the following criteria:

23 (1) the program is sponsored by the Boy Scouts of
24 America or another national public service organization;
25 and

26 (2) the sponsoring organization carries liability

1 insurance covering the program.

2 (a-3) If a graduated driver's license holder over the age
3 of 18 committed an offense against traffic regulations
4 governing the movement of vehicles or any violation of Section
5 6-107 or Section 12-603.1 of this Code in the 6 months prior to
6 the graduated driver's license holder's 18th birthday, and was
7 subsequently convicted of the offense, the provisions of
8 subsection (a-1) shall continue to apply until such time as a
9 period of 6 consecutive months has elapsed without an
10 additional violation and subsequent conviction of an offense
11 against traffic regulations governing the movement of vehicles
12 or Section 6-107 or Section 12-603.1 of this Code.

13 (a-4) If an applicant for a driver's license or
14 instruction permit has a current identification card issued by
15 the Secretary of State, the Secretary may require the
16 applicant to utilize the same residence address and name on
17 the identification card, driver's license, and instruction
18 permit records maintained by the Secretary. The Secretary may
19 promulgate rules to implement this provision.

20 (a-5) If an applicant for a driver's license is a judicial
21 officer, an official, or a peace officer, the applicant may
22 elect to have his or her office or work address listed on the
23 license instead of the applicant's residence or mailing
24 address. The Secretary of State shall adopt rules to implement
25 this subsection (a-5). For the purposes of this subsection
26 (a-5) is

1 "Official" has the meaning ascribed to it in Section 5 of
2 the Public Safety and Justice Privacy Act.

3 "Peace ~~peace~~ officer" means any person who by virtue of
4 his or her office or public employment is vested by law with a
5 duty to maintain public order or to make arrests for a
6 violation of any penal statute of this State, whether that
7 duty extends to all violations or is limited to specific
8 violations.

9 (b) Until the Secretary of State establishes a First
10 Person Consent organ and tissue donor registry under Section
11 6-117 of this Code, the Secretary of State shall provide a
12 format on the reverse of each driver's license issued which
13 the licensee may use to execute a document of gift conforming
14 to the provisions of the Illinois Anatomical Gift Act. The
15 format shall allow the licensee to indicate the gift intended,
16 whether specific organs, any organ, or the entire body, and
17 shall accommodate the signatures of the donor and 2 witnesses.
18 The Secretary shall also inform each applicant or licensee of
19 this format, describe the procedure for its execution, and may
20 offer the necessary witnesses; provided that in so doing, the
21 Secretary shall advise the applicant or licensee that he or
22 she is under no compulsion to execute a document of gift. A
23 brochure explaining this method of executing an anatomical
24 gift document shall be given to each applicant or licensee.
25 The brochure shall advise the applicant or licensee that he or
26 she is under no compulsion to execute a document of gift, and

1 that he or she may wish to consult with family, friends or
2 clergy before doing so. The Secretary of State may undertake
3 additional efforts, including education and awareness
4 activities, to promote organ and tissue donation.

5 (c) The Secretary of State shall designate on each
6 driver's license issued a space where the licensee may place a
7 sticker or decal of the uniform size as the Secretary may
8 specify, which sticker or decal may indicate in appropriate
9 language that the owner of the license carries an Emergency
10 Medical Information Card.

11 The sticker may be provided by any person, hospital,
12 school, medical group, or association interested in assisting
13 in implementing the Emergency Medical Information Card, but
14 shall meet the specifications as the Secretary may by rule or
15 regulation require.

16 (d) The Secretary of State shall designate on each
17 driver's license issued a space where the licensee may
18 indicate his blood type and RH factor.

19 (e) The Secretary of State shall provide that each
20 original or renewal driver's license issued to a licensee
21 under 21 years of age shall be of a distinct nature from those
22 driver's licenses issued to individuals 21 years of age and
23 older. The color designated for driver's licenses for
24 licensees under 21 years of age shall be at the discretion of
25 the Secretary of State.

26 (e-1) The Secretary shall provide that each driver's

1 license issued to a person under the age of 21 displays the
2 date upon which the person becomes 18 years of age and the date
3 upon which the person becomes 21 years of age.

4 (e-3) The General Assembly recognizes the need to identify
5 military veterans living in this State for the purpose of
6 ensuring that they receive all of the services and benefits to
7 which they are legally entitled, including healthcare,
8 education assistance, and job placement. To assist the State
9 in identifying these veterans and delivering these vital
10 services and benefits, the Secretary of State is authorized to
11 issue drivers' licenses with the word "veteran" appearing on
12 the face of the licenses. This authorization is predicated on
13 the unique status of veterans. The Secretary may not issue any
14 other driver's license which identifies an occupation, status,
15 affiliation, hobby, or other unique characteristics of the
16 license holder which is unrelated to the purpose of the
17 driver's license.

18 (e-5) Beginning on or before July 1, 2015, the Secretary
19 of State shall designate a space on each original or renewal
20 driver's license where, at the request of the applicant, the
21 word "veteran" shall be placed. The veteran designation shall
22 be available to a person identified as a veteran under
23 subsection (e) of Section 6-106 of this Code who was
24 discharged or separated under honorable conditions.

25 (f) The Secretary of State shall inform all Illinois
26 licensed commercial motor vehicle operators of the

1 requirements of the Uniform Commercial Driver License Act,
2 Article V of this Chapter, and shall make provisions to insure
3 that all drivers, seeking to obtain a commercial driver's
4 license, be afforded an opportunity prior to April 1, 1992, to
5 obtain the license. The Secretary is authorized to extend
6 driver's license expiration dates, and assign specific times,
7 dates and locations where these commercial driver's tests
8 shall be conducted. Any applicant, regardless of the current
9 expiration date of the applicant's driver's license, may be
10 subject to any assignment by the Secretary. Failure to comply
11 with the Secretary's assignment may result in the applicant's
12 forfeiture of an opportunity to receive a commercial driver's
13 license prior to April 1, 1992.

14 (g) The Secretary of State shall designate on a driver's
15 license issued, a space where the licensee may indicate that
16 he or she has drafted a living will in accordance with the
17 Illinois Living Will Act or a durable power of attorney for
18 health care in accordance with the Illinois Power of Attorney
19 Act.

20 (g-1) The Secretary of State, in his or her discretion,
21 may designate on each driver's license issued a space where
22 the licensee may place a sticker or decal, issued by the
23 Secretary of State, of uniform size as the Secretary may
24 specify, that shall indicate in appropriate language that the
25 owner of the license has renewed his or her driver's license.

26 (h) A person who acts in good faith in accordance with the

1 terms of this Section is not liable for damages in any civil
2 action or subject to prosecution in any criminal proceeding
3 for his or her act.

4 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13;
5 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff.
6 1-1-14; 98-463, eff. 8-16-13.)

7 Section 999. Effective date. This Act takes effect upon
8 becoming law.

1 INDEX
2 Statutes amended in order of appearance

3 New Act

4 5 ILCS 140/7 from Ch. 116, par. 207

5 10 ILCS 5/10-10.3 new

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

7 15 ILCS 335/5 from Ch. 124, par. 25

8 625 ILCS 5/3-405 from Ch. 95 1/2, par. 3-405

9 625 ILCS 5/6-106 from Ch. 95 1/2, par. 6-106

10 625 ILCS 5/6-110 from Ch. 95 1/2, par. 6-110