



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3054

Introduced 2/19/2021, by Rep. Adam Niemerg

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, first responder's, prosecutor's, public defender's, probation officer's, or General Assembly member'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 13030 AWJ 18373 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 "First responder" means a law enforcement officer or
11 fireman as defined in Section 2 of the Line of Duty
12 Compensation Act, an "emergency medical technician (EMT)" as
13 defined in Section 3.50 of the Emergency Medical Services
14 (EMS) Systems Act, and any other person who is at least 18
15 years of age who has successfully completed a course of
16 instruction in emergency medical responder first response as
17 prescribed by the Illinois Department of Public Health, and
18 who provides first response services prior to the arrival of
19 an ambulance or specialized emergency medical services
20 vehicle, in accordance with the level of care established in
21 the emergency medical responder first response course.

22 "Government agency", "personal information", "publicly
23 available content", and "publicly post" or "publicly display"

1 have the meanings given to those terms in 1-10 of Judicial
2 Privacy Act.

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

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

9 "Law enforcement officer" has the meaning given to that
10 term in Section 5 of the Law Enforcement Officer Bulletproof
11 Vest Act.

12 "Official" includes:

13 (1) Law enforcement officers.

14 (2) First responders.

15 (3) Prosecutors.

16 (4) Public defenders.

17 (5) Probation officers.

18 (6) Members of the General Assembly.

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

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

23 "Public defender" means a Public Defender or an Assistant
24 Public Defender.

25 "Written request" means written notice signed by an
26 official or a representative of the official's employer

1 requesting a government agency, person, business, or
2 association to refrain from posting or displaying publicly
3 available content that includes the official's personal
4 information.

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

7 (a) Government agencies shall not publicly post or display
8 publicly available content that includes an official's
9 personal information, provided that the government agency has
10 received a written request in accordance with Section 20 that
11 it refrain from disclosing the official's personal
12 information. After a government agency has received a written
13 request, that agency shall remove the official's personal
14 information from publicly available content within 5 business
15 days. After the government agency has removed the official's
16 personal information from publicly available content, the
17 agency shall not publicly post or display the information and
18 the official's personal information shall be exempt from the
19 Freedom of Information Act unless the government agency has
20 received consent from the official to make the personal
21 information available to the public.

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

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

4 (a) Prohibited Conduct.

5 (1) All persons, businesses, and associations shall
6 refrain from publicly posting or displaying on the
7 Internet publicly available content that includes an
8 official's personal information, provided that the
9 official has made a written request to the person,
10 business, or association that it refrain from disclosing
11 the personal information.

12 (2) No person, business, or association shall solicit,
13 sell, or trade on the Internet an official's personal
14 information with the intent to pose an imminent and
15 serious threat to the health and safety of the official or
16 the official's immediate family.

17 (3) This subsection includes, but is not limited to,
18 Internet phone directories, Internet search engines,
19 Internet data aggregators, and Internet service providers.

20 (b) Required Conduct.

21 (1) After a person, business, or association has
22 received a written request from an official to protect the
23 privacy of the officer's personal information, that
24 person, business, or association shall have 72 hours to
25 remove the personal information from the Internet.

1 (2) After a person, business, or association has
2 received a written request from an official, that person,
3 business, or association shall ensure that the official's
4 personal information is not made available on any website
5 or subsidiary website controlled by that person, business,
6 or association.

7 (3) After receiving an official's written request, no
8 person, business, or association shall transfer the
9 official's personal information to any other person,
10 business, or association through any medium.

11 (c) Redress. An official whose personal information is
12 made public as a result of a violation of this Section may
13 bring an action in the circuit court seeking injunctive or
14 declaratory relief. If the court grants injunctive or
15 declaratory relief, the person, business, or association
16 responsible for the violation shall be required to pay the
17 official's costs and reasonable attorney's fees.

18 Section 20. Procedure for completing a written request.

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

23 (b) A written request is valid if:

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

1 (2) the Secretary of State creates a policy and
2 procedure for an official to file the written request with
3 the Secretary of State to notify government agencies, the
4 official may send the written request to the Secretary of
5 State as provided in the policy and procedure. In each
6 quarter of a calendar year, the Secretary of State shall
7 provide a list of all officials who have submitted a
8 written request to it to the appropriate officer with
9 ultimate supervisory authority for a government agency.
10 The officer shall promptly provide a copy of the list to
11 any and all government agencies under his or her
12 supervision. Receipt of the written request list compiled
13 by the Secretary of State by a government agency shall
14 constitute a written request to that agency for the
15 purposes of this Act.

16 (c) A representative from the official's employer may
17 submit a written request on the official's behalf, provided
18 that the official gives written consent to the representative
19 and provided that the representative agrees to furnish a copy
20 of that consent when a written request is made. The
21 representative shall submit the written request as provided in
22 subsection (b).

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

25 If an official wishes to identify a secondary residence as
26 a home address, the designation shall be made in the written

1 request.

2 An official shall disclose the identity of the officer's
3 immediate family and indicate that the personal information of
4 these family members shall also be excluded to the extent that
5 it could reasonably be expected to reveal the personal
6 information of the official.

7 (e) An official's written request is valid until the
8 official provides the government agency, person, business, or
9 association with written permission to release the private
10 information. An official's written request expires on death.

11 Section 25. Unlawful publication of personal information.

12 (a) It is unlawful for any person to knowingly publicly
13 post on the Internet the personal information of an official
14 or of the official's immediate family if the person knows or
15 reasonably should know that publicly posting the personal
16 information poses an imminent and serious threat to the health
17 and safety of the official or the official's immediate family
18 and the violation is a proximate cause of bodily injury or
19 death of the official or a member of the official's immediate
20 family. A person who violates this Section is guilty of a Class
21 3 felony.

22 (b) If an employee of a government agency has complied
23 with the provisions of this Act, it is not a violation of
24 subsection (a) if the employee publishes personal information,
25 in good faith, on the website of the government agency in the

1 ordinary course of carrying out public functions.

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

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

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

8 Sec. 7. Exemptions.

9 (1) When a request is made to inspect or copy a public
10 record that contains information that is exempt from
11 disclosure under this Section, but also contains information
12 that is not exempt from disclosure, the public body may elect
13 to redact the information that is exempt. The public body
14 shall make the remaining information available for inspection
15 and copying. Subject to this requirement, the following shall
16 be exempt from inspection and copying:

17 (a) Information specifically prohibited from
18 disclosure by federal or State law or rules and
19 regulations implementing federal or State law.

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

23 (b-5) Files, documents, and other data or databases

1 maintained by one or more law enforcement agencies and
2 specifically designed to provide information to one or
3 more law enforcement agencies regarding the physical or
4 mental status of one or more individual subjects.

5 (c) Personal information contained within public
6 records, the disclosure of which would constitute a
7 clearly unwarranted invasion of personal privacy, unless
8 the disclosure is consented to in writing by the
9 individual subjects of the information. "Unwarranted
10 invasion of personal privacy" means the disclosure of
11 information that is highly personal or objectionable to a
12 reasonable person and in which the subject's right to
13 privacy outweighs any legitimate public interest in
14 obtaining the information. The disclosure of information
15 that bears on the public duties of public employees and
16 officials shall not be considered an invasion of personal
17 privacy.

18 (d) Records in the possession of any public body
19 created in the course of administrative enforcement
20 proceedings, and any law enforcement or correctional
21 agency for law enforcement purposes, but only to the
22 extent that disclosure would:

23 (i) interfere with pending or actually and
24 reasonably contemplated law enforcement proceedings
25 conducted by any law enforcement or correctional
26 agency that is the recipient of the request;

1 (ii) interfere with active administrative
2 enforcement proceedings conducted by the public body
3 that is the recipient of the request;

4 (iii) create a substantial likelihood that a
5 person will be deprived of a fair trial or an impartial
6 hearing;

7 (iv) unavoidably disclose the identity of a
8 confidential source, confidential information
9 furnished only by the confidential source, or persons
10 who file complaints with or provide information to
11 administrative, investigative, law enforcement, or
12 penal agencies; except that the identities of
13 witnesses to traffic accidents, traffic accident
14 reports, and rescue reports shall be provided by
15 agencies of local government, except when disclosure
16 would interfere with an active criminal investigation
17 conducted by the agency that is the recipient of the
18 request;

19 (v) disclose unique or specialized investigative
20 techniques other than those generally used and known
21 or disclose internal documents of correctional
22 agencies related to detection, observation or
23 investigation of incidents of crime or misconduct, and
24 disclosure would result in demonstrable harm to the
25 agency or public body that is the recipient of the
26 request;

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

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

5 (d-5) A law enforcement record created for law
6 enforcement purposes and contained in a shared electronic
7 record management system if the law enforcement agency
8 that is the recipient of the request did not create the
9 record, did not participate in or have a role in any of the
10 events which are the subject of the record, and only has
11 access to the record through the shared electronic record
12 management system.

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

15 (e-5) Records requested by persons committed to the
16 Department of Corrections, Department of Human Services
17 Division of Mental Health, or a county jail if those
18 materials are available in the library of the correctional
19 institution or facility or jail where the inmate is
20 confined.

21 (e-6) Records requested by persons committed to the
22 Department of Corrections, Department of Human Services
23 Division of Mental Health, or a county jail if those
24 materials include records from staff members' personnel
25 files, staff rosters, or other staffing assignment
26 information.

1 (e-7) Records requested by persons committed to the
2 Department of Corrections or Department of Human Services
3 Division of Mental Health if those materials are available
4 through an administrative request to the Department of
5 Corrections or Department of Human Services Division of
6 Mental Health.

7 (e-8) Records requested by a person committed to the
8 Department of Corrections, Department of Human Services
9 Division of Mental Health, or a county jail, the
10 disclosure of which would result in the risk of harm to any
11 person or the risk of an escape from a jail or correctional
12 institution or facility.

13 (e-9) Records requested by a person in a county jail
14 or committed to the Department of Corrections or
15 Department of Human Services Division of Mental Health,
16 containing personal information pertaining to the person's
17 victim or the victim's family, including, but not limited
18 to, a victim's home address, home telephone number, work
19 or school address, work telephone number, social security
20 number, or any other identifying information, except as
21 may be relevant to a requester's current or potential case
22 or claim.

23 (e-10) Law enforcement records of other persons
24 requested by a person committed to the Department of
25 Corrections, Department of Human Services Division of
26 Mental Health, or a county jail, including, but not

1 limited to, arrest and booking records, mug shots, and
2 crime scene photographs, except as these records may be
3 relevant to the requester's current or potential case or
4 claim.

5 (f) Preliminary drafts, notes, recommendations,
6 memoranda and other records in which opinions are
7 expressed, or policies or actions are formulated, except
8 that a specific record or relevant portion of a record
9 shall not be exempt when the record is publicly cited and
10 identified by the head of the public body. The exemption
11 provided in this paragraph (f) extends to all those
12 records of officers and agencies of the General Assembly
13 that pertain to the preparation of legislative documents.

14 (g) Trade secrets and commercial or financial
15 information obtained from a person or business where the
16 trade secrets or commercial or financial information are
17 furnished under a claim that they are proprietary,
18 privileged, or confidential, and that disclosure of the
19 trade secrets or commercial or financial information would
20 cause competitive harm to the person or business, and only
21 insofar as the claim directly applies to the records
22 requested.

23 The information included under this exemption includes
24 all trade secrets and commercial or financial information
25 obtained by a public body, including a public pension
26 fund, from a private equity fund or a privately held

1 company within the investment portfolio of a private
2 equity fund as a result of either investing or evaluating
3 a potential investment of public funds in a private equity
4 fund. The exemption contained in this item does not apply
5 to the aggregate financial performance information of a
6 private equity fund, nor to the identity of the fund's
7 managers or general partners. The exemption contained in
8 this item does not apply to the identity of a privately
9 held company within the investment portfolio of a private
10 equity fund, unless the disclosure of the identity of a
11 privately held company may cause competitive harm.

12 Nothing contained in this paragraph (g) shall be
13 construed to prevent a person or business from consenting
14 to disclosure.

15 (h) Proposals and bids for any contract, grant, or
16 agreement, including information which if it were
17 disclosed would frustrate procurement or give an advantage
18 to any person proposing to enter into a contractor
19 agreement with the body, until an award or final selection
20 is made. Information prepared by or for the body in
21 preparation of a bid solicitation shall be exempt until an
22 award or final selection is made.

23 (i) Valuable formulae, computer geographic systems,
24 designs, drawings and research data obtained or produced
25 by any public body when disclosure could reasonably be
26 expected to produce private gain or public loss. The

1 exemption for "computer geographic systems" provided in
2 this paragraph (i) does not extend to requests made by
3 news media as defined in Section 2 of this Act when the
4 requested information is not otherwise exempt and the only
5 purpose of the request is to access and disseminate
6 information regarding the health, safety, welfare, or
7 legal rights of the general public.

8 (j) The following information pertaining to
9 educational matters:

10 (i) test questions, scoring keys and other
11 examination data used to administer an academic
12 examination;

13 (ii) information received by a primary or
14 secondary school, college, or university under its
15 procedures for the evaluation of faculty members by
16 their academic peers;

17 (iii) information concerning a school or
18 university's adjudication of student disciplinary
19 cases, but only to the extent that disclosure would
20 unavoidably reveal the identity of the student; and

21 (iv) course materials or research materials used
22 by faculty members.

23 (k) Architects' plans, engineers' technical
24 submissions, and other construction related technical
25 documents for projects not constructed or developed in
26 whole or in part with public funds and the same for

1 projects constructed or developed with public funds,
2 including, but not limited to, power generating and
3 distribution stations and other transmission and
4 distribution facilities, water treatment facilities,
5 airport facilities, sport stadiums, convention centers,
6 and all government owned, operated, or occupied buildings,
7 but only to the extent that disclosure would compromise
8 security.

9 (l) Minutes of meetings of public bodies closed to the
10 public as provided in the Open Meetings Act until the
11 public body makes the minutes available to the public
12 under Section 2.06 of the Open Meetings Act.

13 (m) Communications between a public body and an
14 attorney or auditor representing the public body that
15 would not be subject to discovery in litigation, and
16 materials prepared or compiled by or for a public body in
17 anticipation of a criminal, civil, or administrative
18 proceeding upon the request of an attorney advising the
19 public body, and materials prepared or compiled with
20 respect to internal audits of public bodies.

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

25 (o) Administrative or technical information associated
26 with automated data processing operations, including, but

1 not limited to, software, operating protocols, computer
2 program abstracts, file layouts, source listings, object
3 modules, load modules, user guides, documentation
4 pertaining to all logical and physical design of
5 computerized systems, employee manuals, and any other
6 information that, if disclosed, would jeopardize the
7 security of the system or its data or the security of
8 materials exempt under this Section.

9 (p) Records relating to collective negotiating matters
10 between public bodies and their employees or
11 representatives, except that any final contract or
12 agreement shall be subject to inspection and copying.

13 (q) Test questions, scoring keys, and other
14 examination data used to determine the qualifications of
15 an applicant for a license or employment.

16 (r) The records, documents, and information relating
17 to real estate purchase negotiations until those
18 negotiations have been completed or otherwise terminated.
19 With regard to a parcel involved in a pending or actually
20 and reasonably contemplated eminent domain proceeding
21 under the Eminent Domain Act, records, documents, and
22 information relating to that parcel shall be exempt except
23 as may be allowed under discovery rules adopted by the
24 Illinois Supreme Court. The records, documents, and
25 information relating to a real estate sale shall be exempt
26 until a sale is consummated.

1 (s) Any and all proprietary information and records
2 related to the operation of an intergovernmental risk
3 management association or self-insurance pool or jointly
4 self-administered health and accident cooperative or pool.
5 Insurance or self insurance (including any
6 intergovernmental risk management association or self
7 insurance pool) claims, loss or risk management
8 information, records, data, advice or communications.

9 (t) Information contained in or related to
10 examination, operating, or condition reports prepared by,
11 on behalf of, or for the use of a public body responsible
12 for the regulation or supervision of financial
13 institutions, insurance companies, or pharmacy benefit
14 managers, unless disclosure is otherwise required by State
15 law.

16 (u) Information that would disclose or might lead to
17 the disclosure of secret or confidential information,
18 codes, algorithms, programs, or private keys intended to
19 be used to create electronic or digital signatures under
20 the Electronic Commerce Security Act.

21 (v) Vulnerability assessments, security measures, and
22 response policies or plans that are designed to identify,
23 prevent, or respond to potential attacks upon a
24 community's population or systems, facilities, or
25 installations, the destruction or contamination of which
26 would constitute a clear and present danger to the health

1 or safety of the community, but only to the extent that
2 disclosure could reasonably be expected to jeopardize the
3 effectiveness of the measures or the safety of the
4 personnel who implement them or the public. Information
5 exempt under this item may include such things as details
6 pertaining to the mobilization or deployment of personnel
7 or equipment, to the operation of communication systems or
8 protocols, or to tactical operations.

9 (w) (Blank).

10 (x) Maps and other records regarding the location or
11 security of generation, transmission, distribution,
12 storage, gathering, treatment, or switching facilities
13 owned by a utility, by a power generator, or by the
14 Illinois Power Agency.

15 (y) Information contained in or related to proposals,
16 bids, or negotiations related to electric power
17 procurement under Section 1-75 of the Illinois Power
18 Agency Act and Section 16-111.5 of the Public Utilities
19 Act that is determined to be confidential and proprietary
20 by the Illinois Power Agency or by the Illinois Commerce
21 Commission.

22 (z) Information about students exempted from
23 disclosure under Sections 10-20.38 or 34-18.29 of the
24 School Code, and information about undergraduate students
25 enrolled at an institution of higher education exempted
26 from disclosure under Section 25 of the Illinois Credit

1 Card Marketing Act of 2009.

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

4 (bb) Records and information provided to a mortality
5 review team and records maintained by a mortality review
6 team appointed under the Department of Juvenile Justice
7 Mortality Review Team Act.

8 (cc) Information regarding interments, entombments, or
9 inurnments of human remains that are submitted to the
10 Cemetery Oversight Database under the Cemetery Care Act or
11 the Cemetery Oversight Act, whichever is applicable.

12 (dd) Correspondence and records (i) that may not be
13 disclosed under Section 11-9 of the Illinois Public Aid
14 Code or (ii) that pertain to appeals under Section 11-8 of
15 the Illinois Public Aid Code.

16 (ee) The names, addresses, or other personal
17 information of persons who are minors and are also
18 participants and registrants in programs of park
19 districts, forest preserve districts, conservation
20 districts, recreation agencies, and special recreation
21 associations.

22 (ff) The names, addresses, or other personal
23 information of participants and registrants in programs of
24 park districts, forest preserve districts, conservation
25 districts, recreation agencies, and special recreation
26 associations where such programs are targeted primarily to

1 minors.

2 (gg) Confidential information described in Section
3 1-100 of the Illinois Independent Tax Tribunal Act of
4 2012.

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

9 (ii) Records requested by persons committed to or
10 detained by the Department of Human Services under the
11 Sexually Violent Persons Commitment Act or committed to
12 the Department of Corrections under the Sexually Dangerous
13 Persons Act if those materials: (i) are available in the
14 library of the facility where the individual is confined;
15 (ii) include records from staff members' personnel files,
16 staff rosters, or other staffing assignment information;
17 or (iii) are available through an administrative request
18 to the Department of Human Services or the Department of
19 Corrections.

20 (jj) Confidential information described in Section
21 5-535 of the Civil Administrative Code of Illinois.

22 (kk) The public body's credit card numbers, debit card
23 numbers, bank account numbers, Federal Employer
24 Identification Number, security code numbers, passwords,
25 and similar account information, the disclosure of which
26 could result in identity theft or impersonation or defrauding

1 of a governmental entity or a person.

2 (11) ~~(11)~~ Records concerning the work of the threat
3 assessment team of a school district.

4 (1.5) Any information exempt from disclosure under the
5 Judicial Privacy Act and the Public Safety and Justice Privacy
6 Act shall be redacted from public records prior to disclosure
7 under this Act.

8 (2) A public record that is not in the possession of a
9 public body but is in the possession of a party with whom the
10 agency has contracted to perform a governmental function on
11 behalf of the public body, and that directly relates to the
12 governmental function and is not otherwise exempt under this
13 Act, shall be considered a public record of the public body,
14 for purposes of this Act.

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

19 (Source: P.A. 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;
20 100-732, eff. 8-3-18; 101-434, eff. 1-1-20; 101-452, eff.
21 1-1-20; 101-455, eff. 8-23-19; revised 9-27-19.)

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

24 (10 ILCS 5/10-10.3 new)

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

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

6 (b) Upon expiration of the period for filing an objection
7 to an official's certificate of nomination or nomination
8 papers, an official who is a candidate may file a written
9 request with the State Board of Elections for redaction of the
10 official's home address information from his or her
11 certificate of nomination or nomination papers. After receipt
12 of the official's written request, the State Board of
13 Elections shall redact or cause redaction of the official's
14 home address from his or her certificate of nomination or
15 nomination papers within 5 business days.

16 (c) Prior to expiration of the period for filing an
17 objection to an official's certificate of nomination or
18 nomination papers, the home address information from the
19 certificate of nomination or nomination papers of an official
20 who is a candidate is available for public inspection. After
21 redaction of an official's home address information under
22 subsection (b), the home address information is only available
23 for an in camera inspection by the court reviewing an
24 objection to the official's certificate of nomination or
25 nomination papers.

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

3 (15 ILCS 335/4) (from Ch. 124, par. 24)

4 Sec. 4. Identification card.

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

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

8 (a-10) If the applicant is a judicial officer as defined
9 in Section 1-10 of the Judicial Privacy Act, an official as
10 defined in Section 5 of the Public Safety and Justice Privacy
11 Act, or a peace officer, the applicant may elect to have his or
12 her office or work address listed on the card instead of the
13 applicant's residence or mailing address. The Secretary may
14 promulgate rules to implement this provision. For the purposes
15 of this subsection (a-10), "peace officer" means any person
16 who by virtue of his or her office or public employment is
17 vested by law with a duty to maintain public order or to make
18 arrests for a violation of any penal statute of this State,
19 whether that duty extends to all violations or is limited to
20 specific violations.

21 (a-15) The Secretary of State may provide for an expedited
22 process for the issuance of an Illinois Identification Card.
23 The Secretary shall charge an additional fee for the expedited
24 issuance of an Illinois Identification Card, to be set by
25 rule, not to exceed \$75. All fees collected by the Secretary
26 for expedited Illinois Identification Card service shall be

1 deposited into the Secretary of State Special Services Fund.
2 The Secretary may adopt rules regarding the eligibility,
3 process, and fee for an expedited Illinois Identification
4 Card. If the Secretary of State determines that the volume of
5 expedited identification card requests received on a given day
6 exceeds the ability of the Secretary to process those requests
7 in an expedited manner, the Secretary may decline to provide
8 expedited services, and the additional fee for the expedited
9 service shall be refunded to the applicant.

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

25 (a-25) The Secretary of State shall issue a limited-term
26 Illinois Identification Card valid for 90 days to a committed

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

20 Prior to the expiration of the 90-day period of the
21 limited-term Illinois Identification Card, if the released
22 person submits to the Secretary of State a certified copy of
23 his or her birth certificate and his or her social security
24 card or other documents authorized by the Secretary, a
25 standard Illinois Identification Card shall be issued. A
26 limited-term Illinois Identification Card may not be renewed.

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

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

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

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

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

22 The Illinois Person with a Disability Identification Card
23 may be used as adequate documentation of disability in lieu of
24 a physician's determination of disability, a determination of
25 disability from a physician assistant, a determination of
26 disability from an advanced practice registered nurse, or any

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

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

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

25 (c) The Secretary of State shall provide that each
26 original or renewal Illinois Identification Card or Illinois

1 Person with a Disability Identification Card issued to a
2 person under the age of 21 shall be of a distinct nature from
3 those Illinois Identification Cards or Illinois Person with a
4 Disability Identification Cards issued to individuals 21 years
5 of age or older. The color designated for Illinois
6 Identification Cards or Illinois Person with a Disability
7 Identification Cards for persons under the age of 21 shall be
8 at the discretion of the Secretary of State.

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

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

1 characteristics of the identification card holder which is
2 unrelated to the purpose of the identification card.

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

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

21 (e) The Secretary of State, in his or her discretion, may
22 designate on each Illinois Identification Card or Illinois
23 Person with a Disability Identification Card a space where the
24 card holder may place a sticker or decal, issued by the
25 Secretary of State, of uniform size as the Secretary may
26 specify, that shall indicate in appropriate language that the

1 card holder has renewed his or her Illinois Identification
2 Card or Illinois Person with a Disability Identification Card.
3 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
4 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff.
5 7-1-17; 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

6 (15 ILCS 335/5) (from Ch. 124, par. 25)

7 Sec. 5. Applications.

8 (a) Any natural person who is a resident of the State of
9 Illinois may file an application for an identification card,
10 or for the renewal thereof, in a manner prescribed by the
11 Secretary. Each original application shall be completed by the
12 applicant in full and shall set forth the legal name,
13 residence address and zip code, social security number, birth
14 date, sex and a brief description of the applicant. The
15 applicant shall be photographed, unless the Secretary of State
16 has provided by rule for the issuance of identification cards
17 without photographs and the applicant is deemed eligible for
18 an identification card without a photograph under the terms
19 and conditions imposed by the Secretary of State, and he or she
20 shall also submit any other information as the Secretary may
21 deem necessary or such documentation as the Secretary may
22 require to determine the identity of the applicant. In
23 addition to the residence address, the Secretary may allow the
24 applicant to provide a mailing address. If the applicant is a
25 judicial officer as defined in Section 1-10 of the Judicial

1 Privacy Act, an official as defined in Section 5 of the Public
2 Safety and Justice Privacy Act, or a peace officer, the
3 applicant may elect to have his or her office or work address
4 in lieu of the applicant's residence or mailing address. An
5 applicant for an Illinois Person with a Disability
6 Identification Card must also submit with each original or
7 renewal application, on forms prescribed by the Secretary,
8 such documentation as the Secretary may require, establishing
9 that the applicant is a "person with a disability" as defined
10 in Section 4A of this Act, and setting forth the applicant's
11 type and class of disability as set forth in Section 4A of this
12 Act. For the purposes of this subsection (a), "peace officer"
13 means any person who by virtue of his or her office or public
14 employment is vested by law with a duty to maintain public
15 order or to make arrests for a violation of any penal statute
16 of this State, whether that duty extends to all violations or
17 is limited to specific violations.

18 (a-5) Upon the first issuance of a request for proposals
19 for a digital driver's license and identification card
20 issuance and facial recognition system issued after January 1,
21 2020 (the effective date of Public Act 101-513) ~~this~~
22 ~~amendatory Act of the 101st General Assembly,~~ and upon
23 implementation of a new or revised system procured pursuant to
24 that request for proposals, the Secretary shall permit
25 applicants to choose between "male", "female", or "non-binary"
26 when designating the applicant's sex on the identification

1 card application form. The sex designated by the applicant
2 shall be displayed on the identification card issued to the
3 applicant.

4 (b) Beginning on or before July 1, 2015, for each original
5 or renewal identification card application under this Act, the
6 Secretary shall inquire as to whether the applicant is a
7 veteran for purposes of issuing an identification card with a
8 veteran designation under subsection (c-5) of Section 4 of
9 this Act. The acceptable forms of proof shall include, but are
10 not limited to, Department of Defense form DD-214, Department
11 of Defense form DD-256 for applicants who did not receive a
12 form DD-214 upon the completion of initial basic training,
13 Department of Defense form DD-2 (Retired), an identification
14 card issued under the federal Veterans Identification Card Act
15 of 2015, or a United States Department of Veterans Affairs
16 summary of benefits letter. If the document cannot be stamped,
17 the Illinois Department of Veterans' Affairs shall provide a
18 certificate to the veteran to provide to the Secretary of
19 State. The Illinois Department of Veterans' Affairs shall
20 advise the Secretary as to what other forms of proof of a
21 person's status as a veteran are acceptable.

22 For each applicant who is issued an identification card
23 with a veteran designation, the Secretary shall provide the
24 Department of Veterans' Affairs with the applicant's name,
25 address, date of birth, gender, and such other demographic
26 information as agreed to by the Secretary and the Department.

1 The Department may take steps necessary to confirm the
2 applicant is a veteran. If after due diligence, including
3 writing to the applicant at the address provided by the
4 Secretary, the Department is unable to verify the applicant's
5 veteran status, the Department shall inform the Secretary, who
6 shall notify the applicant that he or she must confirm status
7 as a veteran, or the identification card will be cancelled.

8 For purposes of this subsection (b):

9 "Armed forces" means any of the Armed Forces of the United
10 States, including a member of any reserve component or
11 National Guard unit.

12 "Veteran" means a person who has served in the armed
13 forces and was discharged or separated under honorable
14 conditions.

15 (c) All applicants for REAL ID compliant standard Illinois
16 Identification Cards and Illinois Person with a Disability
17 Identification Cards shall provide proof of lawful status in
18 the United States as defined in 6 CFR 37.3, as amended.
19 Applicants who are unable to provide the Secretary with proof
20 of lawful status are ineligible for REAL ID compliant
21 identification cards under this Act.

22 (Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17;
23 100-811, eff. 1-1-19; 101-106, eff. 1-1-20; 101-287, eff.
24 8-9-19; 101-513, eff. 1-1-20; revised 9-25-19.)

25 Section 115. The Illinois Vehicle Code is amended by

1 changing Sections 3-405, 6-106, and 6-110 as follows:

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

3 Sec. 3-405. Application for registration.

4 (a) Every owner of a vehicle subject to registration under
5 this Code shall make application to the Secretary of State for
6 the registration of such vehicle upon the appropriate form or
7 forms furnished by the Secretary. Every such application shall
8 bear the signature of the owner written with pen and ink and
9 contain:

10 1. The name, domicile address, as defined in Section
11 1-115.5 of this Code, (except as otherwise provided in
12 this paragraph 1), mail address of the owner or business
13 address of the owner if a firm, association, or
14 corporation, and, if available, email address of the
15 owner. If the mailing address is a post office box number,
16 the address listed on the driver license record may be
17 used to verify residence. A police officer, a deputy
18 sheriff, an elected sheriff, a law enforcement officer for
19 the Department of State Police, a fire investigator, a
20 state's attorney, an assistant state's attorney, a state's
21 attorney special investigator, an official, or a judicial
22 officer may elect to furnish the address of the
23 headquarters of the governmental entity, police district,
24 or business address where he or she works instead of his or
25 her domicile address, in which case that address shall be

1 deemed to be his or her domicile address for all purposes
2 under this Chapter 3. The spouse and children of a person
3 who may elect under this paragraph 1 to furnish the
4 address of the headquarters of the government entity,
5 police district, or business address where the person
6 works instead of the person's domicile address may, if
7 they reside with that person, also elect to furnish the
8 address of the headquarters of the government entity,
9 police district, or business address where the person
10 works as their domicile address, in which case that
11 address shall be deemed to be their domicile address for
12 all purposes under this Chapter 3. In this paragraph 1:
13 (A) "police officer" has the meaning ascribed to
14 "policeman" in Section 10-3-1 of the Illinois Municipal
15 Code; (B) "deputy sheriff" means a deputy sheriff
16 appointed under Section 3-6008 of the Counties Code; (C)
17 "elected sheriff" means a sheriff commissioned pursuant to
18 Section 3-6001 of the Counties Code; (D) "fire
19 investigator" means a person classified as a peace officer
20 under the Peace Officer Fire Investigation Act; (E)
21 "state's attorney", "assistant state's attorney", and
22 "state's attorney special investigator" mean a state's
23 attorney, assistant state's attorney, and state's attorney
24 special investigator commissioned or appointed under
25 Division 3-9 of the Counties Code; ~~and~~ (F) "judicial
26 officer" has the meaning ascribed to it in Section 1-10 of

1 the Judicial Privacy Act; and (G) "official" has the
2 meaning ascribed to it in Section 5 of the Public Safety
3 and Justice Privacy Act.

4 2. A description of the vehicle, including such
5 information as is required in an application for a
6 certificate of title, determined under such standard
7 rating as may be prescribed by the Secretary.

8 3. (Blank).

9 4. Such further information as may reasonably be
10 required by the Secretary to enable him to determine
11 whether the vehicle is lawfully entitled to registration
12 and the owner entitled to a certificate of title.

13 5. An affirmation by the applicant that all
14 information set forth is true and correct. If the
15 application is for the registration of a motor vehicle,
16 the applicant also shall affirm that the motor vehicle is
17 insured as required by this Code, that such insurance will
18 be maintained throughout the period for which the motor
19 vehicle shall be registered, and that neither the owner,
20 nor any person operating the motor vehicle with the
21 owner's permission, shall operate the motor vehicle unless
22 the required insurance is in effect. If the person signing
23 the affirmation is not the sole owner of the vehicle, such
24 person shall be deemed to have affirmed on behalf of all
25 the owners of the vehicle. If the person signing the
26 affirmation is not an owner of the vehicle, such person

1 shall be deemed to have affirmed on behalf of the owner or
2 owners of the vehicle. The lack of signature on the
3 application shall not in any manner exempt the owner or
4 owners from any provisions, requirements or penalties of
5 this Code.

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

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

11 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

13 (a) Every application for any permit or license authorized
14 to be issued under this Code shall be made upon a form
15 furnished by the Secretary of State. Every application shall
16 be accompanied by the proper fee and payment of such fee shall
17 entitle the applicant to not more than 3 attempts to pass the
18 examination within a period of one year after the date of
19 application.

20 (b) Every application shall state the legal name, social
21 security number, zip code, date of birth, sex, and residence
22 address of the applicant; briefly describe the applicant;
23 state whether the applicant has theretofore been licensed as a
24 driver, and, if so, when and by what state or country, and
25 whether any such license has ever been cancelled, suspended,

1 revoked or refused, and, if so, the date and reason for such
2 cancellation, suspension, revocation or refusal; shall include
3 an affirmation by the applicant that all information set forth
4 is true and correct; and shall bear the applicant's signature.
5 In addition to the residence address, the Secretary may allow
6 the applicant to provide a mailing address. In the case of an
7 applicant who is a judicial officer, official, or peace
8 officer, the Secretary may allow the applicant to provide an
9 office or work address in lieu of a residence or mailing
10 address. The application form may also require the statement
11 of such additional relevant information as the Secretary of
12 State shall deem necessary to determine the applicant's
13 competency and eligibility. The Secretary of State may, in his
14 discretion, by rule or regulation, provide that an application
15 for a drivers license or permit may include a suitable
16 photograph of the applicant in the form prescribed by the
17 Secretary, and he may further provide that each drivers
18 license shall include a photograph of the driver. The
19 Secretary of State may utilize a photograph process or system
20 most suitable to deter alteration or improper reproduction of
21 a drivers license and to prevent substitution of another photo
22 thereon. For the purposes of this subsection (b) ;

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

25 "Peace ~~peace~~ officer" means any person who by virtue of
26 his or her office or public employment is vested by law with a

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

5 (b-3) Upon the first issuance of a request for proposals
6 for a digital driver's license and identification card
7 issuance and facial recognition system issued after January 1,
8 2020 (the effective date of Public Act 101-513) ~~this~~
9 ~~amendatory Act of the 101st General Assembly~~, and upon
10 implementation of a new or revised system procured pursuant to
11 that request for proposals, the Secretary shall permit
12 applicants to choose between "male", "female" or "non-binary"
13 when designating the applicant's sex on the driver's license
14 application form. The sex designated by the applicant shall be
15 displayed on the driver's license issued to the applicant.

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

22 (c) The application form shall include a notice to the
23 applicant of the registration obligations of sex offenders
24 under the Sex Offender Registration Act. The notice shall be
25 provided in a form and manner prescribed by the Secretary of
26 State. For purposes of this subsection (c), "sex offender" has

1 the meaning ascribed to it in Section 2 of the Sex Offender
2 Registration Act.

3 (d) Any male United States citizen or immigrant who
4 applies for any permit or license authorized to be issued
5 under this Code or for a renewal of any permit or license, and
6 who is at least 18 years of age but less than 26 years of age,
7 must be registered in compliance with the requirements of the
8 federal Military Selective Service Act. The Secretary of State
9 must forward in an electronic format the necessary personal
10 information regarding the applicants identified in this
11 subsection (d) to the Selective Service System. The
12 applicant's signature on the application serves as an
13 indication that the applicant either has already registered
14 with the Selective Service System or that he is authorizing
15 the Secretary to forward to the Selective Service System the
16 necessary information for registration. The Secretary must
17 notify the applicant at the time of application that his
18 signature constitutes consent to registration with the
19 Selective Service System, if he is not already registered.

20 (e) Beginning on or before July 1, 2015, for each original
21 or renewal driver's license application under this Code, the
22 Secretary shall inquire as to whether the applicant is a
23 veteran for purposes of issuing a driver's license with a
24 veteran designation under subsection (e-5) of Section 6-110 of
25 this Code. The acceptable forms of proof shall include, but
26 are not limited to, Department of Defense form DD-214,

1 Department of Defense form DD-256 for applicants who did not
2 receive a form DD-214 upon the completion of initial basic
3 training, Department of Defense form DD-2 (Retired), an
4 identification card issued under the federal Veterans
5 Identification Card Act of 2015, or a United States Department
6 of Veterans Affairs summary of benefits letter. If the
7 document cannot be stamped, the Illinois Department of
8 Veterans' Affairs shall provide a certificate to the veteran
9 to provide to the Secretary of State. The Illinois Department
10 of Veterans' Affairs shall advise the Secretary as to what
11 other forms of proof of a person's status as a veteran are
12 acceptable.

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

26 For purposes of this subsection (e):

1 "Armed forces" means any of the Armed Forces of the United
2 States, including a member of any reserve component or
3 National Guard unit.

4 "Veteran" means a person who has served in the armed
5 forces and was discharged or separated under honorable
6 conditions.

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

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

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

12 (a) The Secretary of State shall issue to every qualifying
13 applicant a driver's license as applied for, which license
14 shall bear a distinguishing number assigned to the licensee,
15 the legal name, signature, zip code, date of birth, residence
16 address, and a brief description of the licensee.

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

22 A driver's license issued may, in the discretion of the
23 Secretary, include a suitable photograph of a type prescribed
24 by the Secretary.

25 (a-1) If the licensee is less than 18 years of age, unless

1 one of the exceptions in subsection (a-2) apply, the license
2 shall, as a matter of law, be invalid for the operation of any
3 motor vehicle during the following times:

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

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

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

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

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

14 (2) on an errand at the direction of the minor's
15 parent or guardian, without any detour or stop;

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

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

19 (5) involved in an emergency;

20 (6) going to or returning home from, without any
21 detour or stop, an official school, religious, or other
22 recreational activity supervised by adults and sponsored
23 by a government or governmental agency, a civic
24 organization, or another similar entity that takes
25 responsibility for the licensee, without any detour or
26 stop;

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

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

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

11 (1) the program is sponsored by the Boy Scouts of
12 America or another national public service organization;
13 and

14 (2) the sponsoring organization carries liability
15 insurance covering the program.

16 (a-3) If a graduated driver's license holder over the age
17 of 18 committed an offense against traffic regulations
18 governing the movement of vehicles or any violation of Section
19 6-107 or Section 12-603.1 of this Code in the 6 months prior to
20 the graduated driver's license holder's 18th birthday, and was
21 subsequently convicted of the offense, the provisions of
22 subsection (a-1) shall continue to apply until such time as a
23 period of 6 consecutive months has elapsed without an
24 additional violation and subsequent conviction of an offense
25 against traffic regulations governing the movement of vehicles
26 or Section 6-107 or Section 12-603.1 of this Code.

1 (a-4) If an applicant for a driver's license or
2 instruction permit has a current identification card issued by
3 the Secretary of State, the Secretary may require the
4 applicant to utilize the same residence address and name on
5 the identification card, driver's license, and instruction
6 permit records maintained by the Secretary. The Secretary may
7 promulgate rules to implement this provision.

8 (a-5) If an applicant for a driver's license is a judicial
9 officer, an official, or a peace officer, the applicant may
10 elect to have his or her office or work address listed on the
11 license instead of the applicant's residence or mailing
12 address. The Secretary of State shall adopt rules to implement
13 this subsection (a-5). For the purposes of this subsection
14 (a-5):

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

17 "Peace ~~peace~~ officer" means any person who by virtue of
18 his or her office or public employment is vested by law with a
19 duty to maintain public order or to make arrests for a
20 violation of any penal statute of this State, whether that
21 duty extends to all violations or is limited to specific
22 violations.

23 (b) Until the Secretary of State establishes a First
24 Person Consent organ and tissue donor registry under Section
25 6-117 of this Code, the Secretary of State shall provide a
26 format on the reverse of each driver's license issued which

1 the licensee may use to execute a document of gift conforming
2 to the provisions of the Illinois Anatomical Gift Act. The
3 format shall allow the licensee to indicate the gift intended,
4 whether specific organs, any organ, or the entire body, and
5 shall accommodate the signatures of the donor and 2 witnesses.
6 The Secretary shall also inform each applicant or licensee of
7 this format, describe the procedure for its execution, and may
8 offer the necessary witnesses; provided that in so doing, the
9 Secretary shall advise the applicant or licensee that he or
10 she is under no compulsion to execute a document of gift. A
11 brochure explaining this method of executing an anatomical
12 gift document shall be given to each applicant or licensee.
13 The brochure shall advise the applicant or licensee that he or
14 she is under no compulsion to execute a document of gift, and
15 that he or she may wish to consult with family, friends or
16 clergy before doing so. The Secretary of State may undertake
17 additional efforts, including education and awareness
18 activities, to promote organ and tissue donation.

19 (c) The Secretary of State shall designate on each
20 driver's license issued a space where the licensee may place a
21 sticker or decal of the uniform size as the Secretary may
22 specify, which sticker or decal may indicate in appropriate
23 language that the owner of the license carries an Emergency
24 Medical Information Card.

25 The sticker may be provided by any person, hospital,
26 school, medical group, or association interested in assisting

1 in implementing the Emergency Medical Information Card, but
2 shall meet the specifications as the Secretary may by rule or
3 regulation require.

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

7 (e) The Secretary of State shall provide that each
8 original or renewal driver's license issued to a licensee
9 under 21 years of age shall be of a distinct nature from those
10 driver's licenses issued to individuals 21 years of age and
11 older. The color designated for driver's licenses for
12 licensees under 21 years of age shall be at the discretion of
13 the Secretary of State.

14 (e-1) The Secretary shall provide that each driver's
15 license issued to a person under the age of 21 displays the
16 date upon which the person becomes 18 years of age and the date
17 upon which the person becomes 21 years of age.

18 (e-3) The General Assembly recognizes the need to identify
19 military veterans living in this State for the purpose of
20 ensuring that they receive all of the services and benefits to
21 which they are legally entitled, including healthcare,
22 education assistance, and job placement. To assist the State
23 in identifying these veterans and delivering these vital
24 services and benefits, the Secretary of State is authorized to
25 issue drivers' licenses with the word "veteran" appearing on
26 the face of the licenses. This authorization is predicated on

1 the unique status of veterans. The Secretary may not issue any
2 other driver's license which identifies an occupation, status,
3 affiliation, hobby, or other unique characteristics of the
4 license holder which is unrelated to the purpose of the
5 driver's license.

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

13 (f) The Secretary of State shall inform all Illinois
14 licensed commercial motor vehicle operators of the
15 requirements of the Uniform Commercial Driver License Act,
16 Article V of this Chapter, and shall make provisions to insure
17 that all drivers, seeking to obtain a commercial driver's
18 license, be afforded an opportunity prior to April 1, 1992, to
19 obtain the license. The Secretary is authorized to extend
20 driver's license expiration dates, and assign specific times,
21 dates and locations where these commercial driver's tests
22 shall be conducted. Any applicant, regardless of the current
23 expiration date of the applicant's driver's license, may be
24 subject to any assignment by the Secretary. Failure to comply
25 with the Secretary's assignment may result in the applicant's
26 forfeiture of an opportunity to receive a commercial driver's

1 license prior to April 1, 1992.

2 (g) The Secretary of State shall designate on a driver's
3 license issued, a space where the licensee may indicate that
4 he or she has drafted a living will in accordance with the
5 Illinois Living Will Act or a durable power of attorney for
6 health care in accordance with the Illinois Power of Attorney
7 Act.

8 (g-1) The Secretary of State, in his or her discretion,
9 may designate on each driver's license issued a space where
10 the licensee 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 owner of the license has renewed his or her driver's license.

14 (h) A person who acts in good faith in accordance with the
15 terms of this Section is not liable for damages in any civil
16 action or subject to prosecution in any criminal proceeding
17 for his or her act.

18 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13;
19 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff.
20 1-1-14; 98-463, eff. 8-16-13.)

21 Section 999. Effective date. This Act takes effect upon
22 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