



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### HB3968

Introduced 2/17/2023, by Rep. Maurice A. West, II

#### SYNOPSIS AS INTRODUCED:

New Act

5 ILCS 140/7.5

10 ILCS 5/10-10.3 new

15 ILCS 335/4

from Ch. 124, par. 24

15 ILCS 335/5

from Ch. 124, par. 25

625 ILCS 5/3-405

from Ch. 95 1/2, par. 3-405

625 ILCS 5/6-106

from Ch. 95 1/2, par. 6-106

625 ILCS 5/6-110

from Ch. 95 1/2, par. 6-110

Creates the Public Official Privacy Act. Provides that government agencies, persons, businesses, and associations shall not publicly post or display publicly available content that includes an official's 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 and publicly post on the Internet the personal information of an official or an official's immediate family in a manner posing an imminent and serious threat to the official or the official's immediate family. 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.

LRB103 30438 AWJ 56869 b

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 Official Privacy Act.

6 Section 3. Purpose. The purpose of this Act is to improve  
7 the safety and security of officials and their families in  
8 order to ensure that those officials are able to fulfill their  
9 duties efficiently and effectively without fear of general  
10 reprisal.

11 This Act is not intended to restrain an official from  
12 independently choosing to make publicly available the  
13 official's personal information. Additionally, no government  
14 agency, person, business, or association has any obligation  
15 under this Act to protect the privacy of an official's  
16 personal information until the official makes a written  
17 request that the official's personal information not be  
18 publicly posted.

19 Nothing in this Act shall be construed to impair free  
20 access to decisions and opinions expressed by officials in the  
21 course of carrying out their public functions.

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

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

5 "Home address" includes an official's permanent residence  
6 and any secondary residences affirmatively identified by the  
7 official. "Home address" does not include an official's work  
8 address.

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

12 "Official" includes:

13 (1) any current or former United States Senator or any  
14 current or former United States Representative;

15 (2) any current or former member of the Illinois  
16 General Assembly;

17 (3) any current or former holder of an elected office  
18 or elected position in the government of the State of  
19 Illinois;

20 (4) any current or former holder of an elected office  
21 or elected position in the government of a county of the  
22 State of Illinois; and

23 (5) any current or former holder of an elected office  
24 or elected position in the government of a municipality of  
25 the State of Illinois.

26 "Written request" means written notice signed by an

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

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

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

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

1 injunctive or declaratory relief.

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

5 (a) A person, business, and association may not publicly  
6 post or display on the Internet content that includes an  
7 official's personal information if the official has made a  
8 written request to the person, business, or association to  
9 refrain from posting and disclosing the personal information.  
10 As used in this subsection, "publicly post or display"  
11 includes, but is not limited to, posting or disclosing on  
12 Internet phone directories, Internet search engines, Internet  
13 data aggregators, and websites.

14 (b) A person, business, or association that has received a  
15 written request from an official to protect the privacy of the  
16 officer's personal information:

17 (1) must remove the personal information from any  
18 website or subsidiary website controlled by that person,  
19 business, or association within 72 hours of receiving the  
20 request;

21 (2) must ensure that the official's personal  
22 information is not made available on any website or  
23 subsidiary website controlled by that person, business, or  
24 association; and

25 (3) may not transfer the official's personal

1 information to any other person, business, or association  
2 through any medium.

3 (c) An official whose personal information is made public  
4 as a result of a violation of this Section may bring an action  
5 in the circuit court seeking injunctive or declaratory relief.  
6 If the court grants injunctive or declaratory relief, the  
7 person, business, or association responsible for the violation  
8 shall be required to pay the official's costs and reasonable  
9 attorney's fees.

10 Section 20. Procedure for completing a written request.

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

15 (b) A written request is valid under the following  
16 circumstances:

17 (1) The official sends a written request directly to a  
18 government agency, person, business, or association.

19 (2) If the Secretary of State creates a policy and  
20 procedure for an official to file the written request with  
21 the Secretary of State to notify government agencies, the  
22 official may send the written request to the Secretary of  
23 State as provided in the policy and procedure. In each  
24 quarter of a calendar year, the Secretary of State shall  
25 provide a list of all officials who have submitted a

1 written request to it to the appropriate officer with  
2 ultimate supervisory authority for a government agency.  
3 The officer shall promptly provide a copy of the list to  
4 any and all government agencies under his or her  
5 supervision. Receipt of the written request list compiled  
6 by the Secretary of State by a government agency shall  
7 constitute a written request to that agency for the  
8 purposes of this Act.

9 (c) A representative from the official's employer may  
10 submit a written request on the official's behalf, provided  
11 that the official gives written consent to the representative  
12 and provided that the representative agrees to furnish a copy  
13 of that consent when a written request is made. The  
14 representative shall submit the written request as provided in  
15 subsection (b).

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

18 If an official wishes to identify a secondary residence as  
19 a home address, the designation shall be made in the written  
20 request.

21 An official shall disclose the identity of the officer's  
22 immediate family and indicate that the personal information of  
23 these family members shall also be excluded to the extent that  
24 it could reasonably be expected to reveal the personal  
25 information of the official.

26 (e) An official's written request is valid until the

1 official provides the government agency, person, business, or  
2 association with written permission to release the private  
3 information. An official's written request expires on death.

4 Section 25. Publication of personal information posing an  
5 imminent and serious threat.

6 (a) It is unlawful for any person to knowingly and  
7 publicly post on the Internet the personal information of an  
8 official or of the official's immediate family if the person  
9 knows or reasonably should know that publicly posting the  
10 personal information poses an imminent and serious threat to  
11 the health and safety of the official or the official's  
12 immediate family and the violation is a proximate cause of  
13 bodily injury or death of the official or a member of the  
14 official's immediate family.

15 A person who violates this subsection is guilty of a Class  
16 3 felony.

17 (b) If an employee of a government agency has complied  
18 with the provisions of this Act, it is not a violation of  
19 subsection (a) if the employee publishes personal information,  
20 in good faith, on the website of the government agency in the  
21 ordinary course of carrying out the employee's public  
22 functions.

23 Section 30. Construction. This Act and any rules adopted  
24 to implement this Act shall be construed broadly to favor the



1 protection of the personal information of officials.

2 Section 100. The Freedom of Information Act is amended by  
3 changing Section 7.5 as follows:

4 (5 ILCS 140/7.5)

5 Sec. 7.5. Statutory exemptions. To the extent provided for  
6 by the statutes referenced below, the following shall be  
7 exempt from inspection and copying:

8 (a) All information determined to be confidential  
9 under Section 4002 of the Technology Advancement and  
10 Development Act.

11 (b) Library circulation and order records identifying  
12 library users with specific materials under the Library  
13 Records Confidentiality Act.

14 (c) Applications, related documents, and medical  
15 records received by the Experimental Organ Transplantation  
16 Procedures Board and any and all documents or other  
17 records prepared by the Experimental Organ Transplantation  
18 Procedures Board or its staff relating to applications it  
19 has received.

20 (d) Information and records held by the Department of  
21 Public Health and its authorized representatives relating  
22 to known or suspected cases of sexually transmissible  
23 disease or any information the disclosure of which is  
24 restricted under the Illinois Sexually Transmissible

1 Disease Control Act.

2 (e) Information the disclosure of which is exempted  
3 under Section 30 of the Radon Industry Licensing Act.

4 (f) Firm performance evaluations under Section 55 of  
5 the Architectural, Engineering, and Land Surveying  
6 Qualifications Based Selection Act.

7 (g) Information the disclosure of which is restricted  
8 and exempted under Section 50 of the Illinois Prepaid  
9 Tuition Act.

10 (h) Information the disclosure of which is exempted  
11 under the State Officials and Employees Ethics Act, and  
12 records of any lawfully created State or local inspector  
13 general's office that would be exempt if created or  
14 obtained by an Executive Inspector General's office under  
15 that Act.

16 (i) Information contained in a local emergency energy  
17 plan submitted to a municipality in accordance with a  
18 local emergency energy plan ordinance that is adopted  
19 under Section 11-21.5-5 of the Illinois Municipal Code.

20 (j) Information and data concerning the distribution  
21 of surcharge moneys collected and remitted by carriers  
22 under the Emergency Telephone System Act.

23 (k) Law enforcement officer identification information  
24 or driver identification information compiled by a law  
25 enforcement agency or the Department of Transportation  
26 under Section 11-212 of the Illinois Vehicle Code.

1           (1) Records and information provided to a residential  
2 health care facility resident sexual assault and death  
3 review team or the Executive Council under the Abuse  
4 Prevention Review Team Act.

5           (m) Information provided to the predatory lending  
6 database created pursuant to Article 3 of the Residential  
7 Real Property Disclosure Act, except to the extent  
8 authorized under that Article.

9           (n) Defense budgets and petitions for certification of  
10 compensation and expenses for court appointed trial  
11 counsel as provided under Sections 10 and 15 of the  
12 Capital Crimes Litigation Act. This subsection (n) shall  
13 apply until the conclusion of the trial of the case, even  
14 if the prosecution chooses not to pursue the death penalty  
15 prior to trial or sentencing.

16           (o) Information that is prohibited from being  
17 disclosed under Section 4 of the Illinois Health and  
18 Hazardous Substances Registry Act.

19           (p) Security portions of system safety program plans,  
20 investigation reports, surveys, schedules, lists, data, or  
21 information compiled, collected, or prepared by or for the  
22 Department of Transportation under Sections 2705-300 and  
23 2705-616 of the Department of Transportation Law of the  
24 Civil Administrative Code of Illinois, the Regional  
25 Transportation Authority under Section 2.11 of the  
26 Regional Transportation Authority Act, or the St. Clair

1 County Transit District under the Bi-State Transit Safety  
2 Act.

3 (q) Information prohibited from being disclosed by the  
4 Personnel Record Review Act.

5 (r) Information prohibited from being disclosed by the  
6 Illinois School Student Records Act.

7 (s) Information the disclosure of which is restricted  
8 under Section 5-108 of the Public Utilities Act.

9 (t) All identified or deidentified health information  
10 in the form of health data or medical records contained  
11 in, stored in, submitted to, transferred by, or released  
12 from the Illinois Health Information Exchange, and  
13 identified or deidentified health information in the form  
14 of health data and medical records of the Illinois Health  
15 Information Exchange in the possession of the Illinois  
16 Health Information Exchange Office due to its  
17 administration of the Illinois Health Information  
18 Exchange. The terms "identified" and "deidentified" shall  
19 be given the same meaning as in the Health Insurance  
20 Portability and Accountability Act of 1996, Public Law  
21 104-191, or any subsequent amendments thereto, and any  
22 regulations promulgated thereunder.

23 (u) Records and information provided to an independent  
24 team of experts under the Developmental Disability and  
25 Mental Health Safety Act (also known as Brian's Law).

26 (v) Names and information of people who have applied

1 for or received Firearm Owner's Identification Cards under  
2 the Firearm Owners Identification Card Act or applied for  
3 or received a concealed carry license under the Firearm  
4 Concealed Carry Act, unless otherwise authorized by the  
5 Firearm Concealed Carry Act; and databases under the  
6 Firearm Concealed Carry Act, records of the Concealed  
7 Carry Licensing Review Board under the Firearm Concealed  
8 Carry Act, and law enforcement agency objections under the  
9 Firearm Concealed Carry Act.

10 (v-5) Records of the Firearm Owner's Identification  
11 Card Review Board that are exempted from disclosure under  
12 Section 10 of the Firearm Owners Identification Card Act.

13 (w) Personally identifiable information which is  
14 exempted from disclosure under subsection (g) of Section  
15 19.1 of the Toll Highway Act.

16 (x) Information which is exempted from disclosure  
17 under Section 5-1014.3 of the Counties Code or Section  
18 8-11-21 of the Illinois Municipal Code.

19 (y) Confidential information under the Adult  
20 Protective Services Act and its predecessor enabling  
21 statute, the Elder Abuse and Neglect Act, including  
22 information about the identity and administrative finding  
23 against any caregiver of a verified and substantiated  
24 decision of abuse, neglect, or financial exploitation of  
25 an eligible adult maintained in the Registry established  
26 under Section 7.5 of the Adult Protective Services Act.

1           (z) Records and information provided to a fatality  
2 review team or the Illinois Fatality Review Team Advisory  
3 Council under Section 15 of the Adult Protective Services  
4 Act.

5           (aa) Information which is exempted from disclosure  
6 under Section 2.37 of the Wildlife Code.

7           (bb) Information which is or was prohibited from  
8 disclosure by the Juvenile Court Act of 1987.

9           (cc) Recordings made under the Law Enforcement  
10 Officer-Worn Body Camera Act, except to the extent  
11 authorized under that Act.

12           (dd) Information that is prohibited from being  
13 disclosed under Section 45 of the Condominium and Common  
14 Interest Community Ombudsperson Act.

15           (ee) Information that is exempted from disclosure  
16 under Section 30.1 of the Pharmacy Practice Act.

17           (ff) Information that is exempted from disclosure  
18 under the Revised Uniform Unclaimed Property Act.

19           (gg) Information that is prohibited from being  
20 disclosed under Section 7-603.5 of the Illinois Vehicle  
21 Code.

22           (hh) Records that are exempt from disclosure under  
23 Section 1A-16.7 of the Election Code.

24           (ii) Information which is exempted from disclosure  
25 under Section 2505-800 of the Department of Revenue Law of  
26 the Civil Administrative Code of Illinois.

1           (jj) Information and reports that are required to be  
2 submitted to the Department of Labor by registering day  
3 and temporary labor service agencies but are exempt from  
4 disclosure under subsection (a-1) of Section 45 of the Day  
5 and Temporary Labor Services Act.

6           (kk) Information prohibited from disclosure under the  
7 Seizure and Forfeiture Reporting Act.

8           (ll) Information the disclosure of which is restricted  
9 and exempted under Section 5-30.8 of the Illinois Public  
10 Aid Code.

11           (mm) Records that are exempt from disclosure under  
12 Section 4.2 of the Crime Victims Compensation Act.

13           (nn) Information that is exempt from disclosure under  
14 Section 70 of the Higher Education Student Assistance Act.

15           (oo) Communications, notes, records, and reports  
16 arising out of a peer support counseling session  
17 prohibited from disclosure under the First Responders  
18 Suicide Prevention Act.

19           (pp) Names and all identifying information relating to  
20 an employee of an emergency services provider or law  
21 enforcement agency under the First Responders Suicide  
22 Prevention Act.

23           (qq) Information and records held by the Department of  
24 Public Health and its authorized representatives collected  
25 under the Reproductive Health Act.

26           (rr) Information that is exempt from disclosure under

1 the Cannabis Regulation and Tax Act.

2 (ss) Data reported by an employer to the Department of  
3 Human Rights pursuant to Section 2-108 of the Illinois  
4 Human Rights Act.

5 (tt) Recordings made under the Children's Advocacy  
6 Center Act, except to the extent authorized under that  
7 Act.

8 (uu) Information that is exempt from disclosure under  
9 Section 50 of the Sexual Assault Evidence Submission Act.

10 (vv) Information that is exempt from disclosure under  
11 subsections (f) and (j) of Section 5-36 of the Illinois  
12 Public Aid Code.

13 (ww) Information that is exempt from disclosure under  
14 Section 16.8 of the State Treasurer Act.

15 (xx) Information that is exempt from disclosure or  
16 information that shall not be made public under the  
17 Illinois Insurance Code.

18 (yy) Information prohibited from being disclosed under  
19 the Illinois Educational Labor Relations Act.

20 (zz) Information prohibited from being disclosed under  
21 the Illinois Public Labor Relations Act.

22 (aaa) Information prohibited from being disclosed  
23 under Section 1-167 of the Illinois Pension Code.

24 (bbb) Information that is prohibited from disclosure  
25 by the Illinois Police Training Act and the Illinois State  
26 Police Act.



1 (ccc) Records exempt from disclosure under Section  
2 2605-304 of the Illinois State Police Law of the Civil  
3 Administrative Code of Illinois.

4 (ddd) Information prohibited from being disclosed  
5 under Section 35 of the Address Confidentiality for  
6 Victims of Domestic Violence, Sexual Assault, Human  
7 Trafficking, or Stalking Act.

8 (eee) Information prohibited from being disclosed  
9 under subsection (b) of Section 75 of the Domestic  
10 Violence Fatality Review Act.

11 (fff) Images from cameras under the Expressway Camera  
12 Act. This subsection (fff) is inoperative on and after  
13 July 1, 2023.

14 (ggg) Information prohibited from disclosure under  
15 paragraph (3) of subsection (a) of Section 14 of the Nurse  
16 Agency Licensing Act.

17 (hhh) Information submitted to the Illinois Department  
18 ~~of~~ State Police in an affidavit or application for an  
19 assault weapon endorsement, assault weapon attachment  
20 endorsement, .50 caliber rifle endorsement, or .50 caliber  
21 cartridge endorsement under the Firearm Owners  
22 Identification Card Act.

23 (iii) Information that is exempt from disclosure under  
24 the Public Official Privacy Act.

25 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;  
26 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.

1 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,  
2 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;  
3 101-620, eff. 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.  
4 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,  
5 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;  
6 102-559, eff. 8-20-21; 102-813, eff. 5-13-22; 102-946, eff.  
7 7-1-22; 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; revised  
8 2-13-23.)

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

11 (10 ILCS 5/10-10.3 new)

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

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

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

1 home address from the official's certificate of nomination or  
2 nomination papers within 5 business days.

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

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

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

16 Sec. 4. Identification card.

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

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

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

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

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

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

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

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

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

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

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

14 (a-30) The Secretary of State shall issue a standard  
15 Illinois Identification Card to a person upon conditional  
16 release or absolute discharge from the custody of the  
17 Department of Human Services, if the person presents a  
18 certified copy of his or her birth certificate, social  
19 security card, or other documents authorized by the Secretary,  
20 and a document proving his or her Illinois residence address.  
21 The Secretary of State shall issue a standard Illinois  
22 Identification Card to a person prior to his or her  
23 conditional release or absolute discharge if personnel from  
24 the Department of Human Services bring the person to a  
25 Secretary of State location with the required documents.  
26 Documents proving residence address may include any official

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

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



1 personnel of the Department of Human Services.

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

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

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

1 the benefit of the person named on such card, and the person  
2 named on such card consents to such use at the time the card is  
3 so used.

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

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

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

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

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

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

23           (d) The Secretary of State may issue a Senior Citizen  
24 discount card, to any natural person who is a resident of the  
25 State of Illinois who is 60 years of age or older and who  
26 applies for such a card or renewal thereof. The Secretary of

1 State shall charge no fee to issue such card. The card shall be  
2 issued in every county and applications shall be made  
3 available at, but not limited to, nutrition sites, senior  
4 citizen centers and Area Agencies on Aging. The applicant,  
5 upon receipt of such card and prior to its use for any purpose,  
6 shall have affixed thereon in the space provided therefor his  
7 signature or mark.

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

16 (Source: P.A. 102-299, eff. 8-6-21.)

17 (15 ILCS 335/5) (from Ch. 124, par. 25)

18 Sec. 5. Applications.

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

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

1 State, whether that duty extends to all violations or is  
2 limited to specific violations.

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

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

1 the Illinois Department of Veterans' Affairs shall provide a  
2 certificate to the veteran to provide to the Secretary of  
3 State. The Illinois Department of Veterans' Affairs shall  
4 advise the Secretary as to what other forms of proof of a  
5 person's status as a veteran are acceptable.

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

18 For purposes of this subsection (b):

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

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

25 (c) All applicants for REAL ID compliant standard Illinois  
26 Identification Cards and Illinois Person with a Disability



1 Identification Cards shall provide proof of lawful status in  
2 the United States as defined in 6 CFR 37.3, as amended.  
3 Applicants who are unable to provide the Secretary with proof  
4 of lawful status are ineligible for REAL ID compliant  
5 identification cards under this Act.

6 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;  
7 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

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

10 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

11 (Text of Section before amendment by P.A. 102-1069)

12 Sec. 3-405. Application for registration.

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

19 1. The name, domicile address, as defined in Section  
20 1-115.5 of this Code, (except as otherwise provided in  
21 this paragraph 1), mail address of the owner or business  
22 address of the owner if a firm, association, or  
23 corporation, and, if available, email address of the  
24 owner. If the mailing address is a post office box number,

1 the address listed on the driver license record may be  
2 used to verify residence. A police officer, a deputy  
3 sheriff, an elected sheriff, a law enforcement officer for  
4 the Illinois State Police, a fire investigator, a state's  
5 attorney, an assistant state's attorney, a state's  
6 attorney special investigator, an official, or a judicial  
7 officer may elect to furnish the address of the  
8 headquarters of the governmental entity, police district,  
9 or business address where he or she works instead of his or  
10 her domicile address, in which case that address shall be  
11 deemed to be his or her domicile address for all purposes  
12 under this Chapter 3. The spouse and children of a person  
13 who may elect under this paragraph 1 to furnish the  
14 address of the headquarters of the government entity,  
15 police district, or business address where the person  
16 works instead of the person's domicile address may, if  
17 they reside with that person, also elect to furnish the  
18 address of the headquarters of the government entity,  
19 police district, or business address where the person  
20 works as their domicile address, in which case that  
21 address shall be deemed to be their domicile address for  
22 all purposes under this Chapter 3. In this paragraph 1:  
23 (A) "police officer" has the meaning ascribed to  
24 "policeman" in Section 10-3-1 of the Illinois Municipal  
25 Code; (B) "deputy sheriff" means a deputy sheriff  
26 appointed under Section 3-6008 of the Counties Code; (C)

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

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

18 3. (Blank).

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

23 5. An affirmation by the applicant that all  
24 information set forth is true and correct. If the  
25 application is for the registration of a motor vehicle,  
26 the applicant also shall affirm that the motor vehicle is

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

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

20          (Source: P.A. 102-538, eff. 8-20-21.)

21                 (Text of Section after amendment by P.A. 102-1069)

22                 Sec. 3-405. Application for registration.

23                 (a) Every owner of a vehicle subject to registration under  
24                 this Code shall make application to the Secretary of State for  
25                 the registration of such vehicle upon the appropriate form or

1 forms furnished by the Secretary. Every such original  
2 application shall bear the signature of the owner written with  
3 pen and ink and contain:

4 1. The name, domicile address, as defined in Section  
5 1-115.5 of this Code, (except as otherwise provided in  
6 this paragraph 1), mail address of the owner or business  
7 address of the owner if a firm, association, or  
8 corporation, and, if available, email address of the  
9 owner. If the mailing address is a post office box number,  
10 the address listed on the driver license record may be  
11 used to verify residence. A police officer, a deputy  
12 sheriff, an elected sheriff, a law enforcement officer for  
13 the Illinois State Police, a fire investigator, a state's  
14 attorney, an assistant state's attorney, a state's  
15 attorney special investigator, an official, or a judicial  
16 officer may elect to furnish the address of the  
17 headquarters of the governmental entity, police district,  
18 or business address where he or she works instead of his or  
19 her domicile address, in which case that address shall be  
20 deemed to be his or her domicile address for all purposes  
21 under this Chapter 3. The spouse and children of a person  
22 who may elect under this paragraph 1 to furnish the  
23 address of the headquarters of the government entity,  
24 police district, or business address where the person  
25 works instead of the person's domicile address may, if  
26 they reside with that person, also elect to furnish the

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

23 2. A description of the vehicle, including such  
24 information as is required in an application for a  
25 certificate of title, determined under such standard  
26 rating as may be prescribed by the Secretary.

1           3. (Blank).

2           3.5. A space for a voluntary disclosure of a condition  
3           that impedes effective communication under Section  
4           3-405.5.

5           4. Such further information as may reasonably be  
6           required by the Secretary to enable him to determine  
7           whether the vehicle is lawfully entitled to registration  
8           and the owner entitled to a certificate of title.

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

1           this Code.

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

6           (Source: P.A. 102-538, eff. 8-20-21; 102-1069, eff. 7-1-23.)

7           (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

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

16           (b) Every application shall state the legal name, social  
17 security number, zip code, date of birth, sex, and residence  
18 address of the applicant; briefly describe the applicant;  
19 state whether the applicant has theretofore been licensed as a  
20 driver, and, if so, when and by what state or country, and  
21 whether any such license has ever been cancelled, suspended,  
22 revoked or refused, and, if so, the date and reason for such  
23 cancellation, suspension, revocation or refusal; shall include  
24 an affirmation by the applicant that all information set forth  
25 is true and correct; and shall bear the applicant's signature.



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

19 "Official" has the meaning ascribed to it in Section 5 of  
20 the Public Official Privacy Act.

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

1 (b-3) Upon the first issuance of a request for proposals  
2 for a digital driver's license and identification card  
3 issuance and facial recognition system issued after January 1,  
4 2020 (the effective date of Public Act 101-513), and upon  
5 implementation of a new or revised system procured pursuant to  
6 that request for proposals, the Secretary shall permit  
7 applicants to choose between "male", "female" or "non-binary"  
8 when designating the applicant's sex on the driver's license  
9 application form. The sex designated by the applicant shall be  
10 displayed on the driver's license issued to the applicant.

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

17 (c) The application form shall include a notice to the  
18 applicant of the registration obligations of sex offenders  
19 under the Sex Offender Registration Act. The notice shall be  
20 provided in a form and manner prescribed by the Secretary of  
21 State. For purposes of this subsection (c), "sex offender" has  
22 the meaning ascribed to it in Section 2 of the Sex Offender  
23 Registration Act.

24 (d) Any male United States citizen or immigrant who  
25 applies for any permit or license authorized to be issued  
26 under this Code or for a renewal of any permit or license, and

1 who is at least 18 years of age but less than 26 years of age,  
2 must be registered in compliance with the requirements of the  
3 federal Military Selective Service Act. The Secretary of State  
4 must forward in an electronic format the necessary personal  
5 information regarding the applicants identified in this  
6 subsection (d) to the Selective Service System. The  
7 applicant's signature on the application serves as an  
8 indication that the applicant either has already registered  
9 with the Selective Service System or that he is authorizing  
10 the Secretary to forward to the Selective Service System the  
11 necessary information for registration. The Secretary must  
12 notify the applicant at the time of application that his  
13 signature constitutes consent to registration with the  
14 Selective Service System, if he is not already registered.

15 (e) Beginning on or before July 1, 2015, for each original  
16 or renewal driver's license application under this Code, the  
17 Secretary shall inquire as to whether the applicant is a  
18 veteran for purposes of issuing a driver's license with a  
19 veteran designation under subsection (e-5) of Section 6-110 of  
20 this Code. The acceptable forms of proof shall include, but  
21 are not limited to, Department of Defense form DD-214,  
22 Department of Defense form DD-256 for applicants who did not  
23 receive a form DD-214 upon the completion of initial basic  
24 training, Department of Defense form DD-2 (Retired), an  
25 identification card issued under the federal Veterans  
26 Identification Card Act of 2015, or a United States Department

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

8 For each applicant who is issued a driver's license with a  
9 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 driver's license will be cancelled.

20 For purposes of this subsection (e):

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 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;  
2 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

3 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

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

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

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

15 A driver's license issued may, in the discretion of the  
16 Secretary, include a suitable photograph of a type prescribed  
17 by the Secretary.

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

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

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

25 (C) Between 10:00 p.m. on Sunday to Thursday,

1 inclusive, and 6:00 a.m. on the following day.

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

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

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

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

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

12 (5) involved in an emergency;

13 (6) going to or returning home from, without any  
14 detour or stop, an official school, religious, or other  
15 recreational activity supervised by adults and sponsored  
16 by a government or governmental agency, a civic  
17 organization, or another similar entity that takes  
18 responsibility for the licensee, without any detour or  
19 stop;

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

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

25 (a-2.5) The driver's license of a person who is 17 years of  
26 age and has been licensed for at least 12 months is not invalid

1 as described in subsection (a-1) of this Section while the  
2 licensee is participating as an assigned driver in a Safe  
3 Rides program that meets the following criteria:

4 (1) the program is sponsored by the Boy Scouts of  
5 America or another national public service organization;  
6 and

7 (2) the sponsoring organization carries liability  
8 insurance covering the program.

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

20 (a-4) If an applicant for a driver's license or  
21 instruction permit has a current identification card issued by  
22 the Secretary of State, the Secretary may require the  
23 applicant to utilize the same residence address and name on  
24 the identification card, driver's license, and instruction  
25 permit records maintained by the Secretary. The Secretary may  
26 promulgate rules to implement this provision.

1 (a-5) If an applicant for a driver's license is a judicial  
2 officer, an official, or a peace officer, the applicant may  
3 elect to have his or her office or work address listed on the  
4 license instead of the applicant's residence or mailing  
5 address. The Secretary of State shall adopt rules to implement  
6 this subsection (a-5). For the purposes of this subsection  
7 (a-5):

8 "Official" has the meaning ascribed to it in Section 5 of  
9 the Public Official Privacy Act.

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

16 (b) Until the Secretary of State establishes a First  
17 Person Consent organ and tissue donor registry under Section  
18 6-117 of this Code, the Secretary of State shall provide a  
19 format on the reverse of each driver's license issued which  
20 the licensee may use to execute a document of gift conforming  
21 to the provisions of the Illinois Anatomical Gift Act. The  
22 format shall allow the licensee to indicate the gift intended,  
23 whether specific organs, any organ, or the entire body, and  
24 shall accommodate the signatures of the donor and 2 witnesses.  
25 The Secretary shall also inform each applicant or licensee of  
26 this format, describe the procedure for its execution, and may



1 offer the necessary witnesses; provided that in so doing, the  
2 Secretary shall advise the applicant or licensee that he or  
3 she is under no compulsion to execute a document of gift. A  
4 brochure explaining this method of executing an anatomical  
5 gift document shall be given to each applicant or licensee.  
6 The brochure shall advise the applicant or licensee that he or  
7 she is under no compulsion to execute a document of gift, and  
8 that he or she may wish to consult with family, friends or  
9 clergy before doing so. The Secretary of State may undertake  
10 additional efforts, including education and awareness  
11 activities, to promote organ and tissue donation.

12 (c) The Secretary of State shall designate on each  
13 driver's license issued a space where the licensee may place a  
14 sticker or decal of the uniform size as the Secretary may  
15 specify, which sticker or decal may indicate in appropriate  
16 language that the owner of the license carries an Emergency  
17 Medical Information Card.

18 The sticker may be provided by any person, hospital,  
19 school, medical group, or association interested in assisting  
20 in implementing the Emergency Medical Information Card, but  
21 shall meet the specifications as the Secretary may by rule or  
22 regulation require.

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

26 (e) The Secretary of State shall provide that each

1 original or renewal driver's license issued to a licensee  
2 under 21 years of age shall be of a distinct nature from those  
3 driver's licenses issued to individuals 21 years of age and  
4 older. The color designated for driver's licenses for  
5 licensees under 21 years of age shall be at the discretion of  
6 the Secretary of State.

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

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

25 (e-5) Beginning on or before July 1, 2015, the Secretary  
26 of State shall designate a space on each original or renewal

1 driver's license where, at the request of the applicant, the  
2 word "veteran" shall be placed. The veteran designation shall  
3 be available to a person identified as a veteran under  
4 subsection (e) of Section 6-106 of this Code who was  
5 discharged or separated under honorable conditions.

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

21 (g) The Secretary of State shall designate on a driver's  
22 license issued, a space where the licensee may indicate that  
23 he or she has drafted a living will in accordance with the  
24 Illinois Living Will Act or a durable power of attorney for  
25 health care in accordance with the Illinois Power of Attorney  
26 Act.

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

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

11 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13;  
12 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff.  
13 1-1-14; 98-463, eff. 8-16-13.)

14 Section 995. No acceleration or delay. Where this Act  
15 makes changes in a statute that is represented in this Act by  
16 text that is not yet or no longer in effect (for example, a  
17 Section represented by multiple versions), the use of that  
18 text does not accelerate or delay the taking effect of (i) the  
19 changes made by this Act or (ii) provisions derived from any  
20 other Public Act.

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