

HB0897



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0897

Introduced 2/10/2009, by Rep. Greg Harris

SYNOPSIS AS INTRODUCED:

15 ILCS 335/1A	
15 ILCS 335/2	from Ch. 124, par. 22
15 ILCS 335/4C new	
15 ILCS 335/12	from Ch. 124, par. 32

Amends the Illinois Identification Card Act to authorize identification cards for homeless persons at no fee. Effective immediately.

LRB096 09083 RCE 19224 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning identification cards.

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

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Sections 1A, 2, and 12 and by adding Section 4C as
6 follows:

7 (15 ILCS 335/1A)

8 Sec. 1A. Definitions. As used in this Act:

9 "Highly restricted personal information" means an
10 individual's photograph, signature, social security number,
11 and medical or disability information.

12 "Identification card making implement" means any material,
13 hardware, or software that is specifically designed for or
14 primarily used in the manufacture, assembly, issuance, or
15 authentication of an official identification card issued by the
16 Secretary of State.

17 "Fraudulent identification card" means any identification
18 card that purports to be an official identification card for
19 which a computerized number and file have not been created by
20 the Secretary of State, the United States Government or any
21 state or political subdivision thereof, or any governmental or
22 quasi-governmental organization. For the purpose of this Act,
23 any identification card that resembles an official

1 identification card in either size, color, photograph
2 location, or design or uses the word "official", "state",
3 "Illinois", or the name of any other state or political
4 subdivision thereof, or any governmental or quasi-governmental
5 organization individually or in any combination thereof to
6 describe or modify the term "identification card" or "I.D.
7 card" anywhere on the card, or uses a shape in the likeness of
8 Illinois or any other state on the photograph side of the card,
9 is deemed to be a fraudulent identification card unless the
10 words "This is not an official Identification Card", appear
11 prominently upon it in black colored lettering in 12 point type
12 on the photograph side of the card, and no such card shall be
13 smaller in size than 3 inches by 4 inches, and the photograph
14 shall be on the left side of the card only.

15 "Legal name" means the full given name and surname of an
16 individual as recorded at birth, recorded at marriage, or
17 deemed as the correct legal name for use in reporting income by
18 the Social Security Administration or the name as otherwise
19 established through legal action that appears on the associated
20 official document presented to the Secretary of State.

21 "Personally identifying information" means information
22 that identifies an individual, including his or her
23 identification card number, name, address (but not the 5-digit
24 zip code), and telephone number.

25 "Homeless person" or "homeless individual" has the same
26 meaning as defined by the federal McKinney-Vento Homeless

1 Assistance Act, 42 U.S.C. 11302, or 42 U.S.C. 11434a(2).

2 (Source: P.A. 93-895, eff. 1-1-05.)

3 (15 ILCS 335/2) (from Ch. 124, par. 22)

4 Sec. 2. Administration and powers and duties of the
5 Administrator.

6 (a) The Secretary of State is the Administrator of this
7 Act, and he is charged with the duty of observing,
8 administering and enforcing the provisions of this Act.

9 (b) The Secretary is vested with the powers and duties for
10 the proper administration of this Act as follows:

11 1. He shall organize the administration of this Act as
12 he may deem necessary and appoint such subordinate
13 officers, clerks and other employees as may be necessary.

14 2. From time to time, he may make, amend or rescind
15 rules and regulations as may be in the public interest to
16 implement the Act.

17 3. He may prescribe or provide suitable forms as
18 necessary, including such forms as are necessary to
19 establish that an applicant for an Illinois Disabled Person
20 Identification Card is a "disabled person" as defined in
21 Section 4A of this Act, and establish that an applicant for
22 a State identification card is a "homeless person" as
23 defined in Section 1A of this Act.

24 4. He may prepare under the seal of the Secretary of
25 State certified copies of any records utilized under this

1 Act and any such certified copy shall be admissible in any
2 proceeding in any court in like manner as the original
3 thereof.

4 5. Records compiled under this Act shall be maintained
5 for 6 years, but the Secretary may destroy such records
6 with the prior approval of the State Records Commission.

7 6. He shall examine and determine the genuineness,
8 regularity and legality of every application filed with him
9 under this Act, and he may in all cases investigate the
10 same, require additional information or proof or
11 documentation from any applicant.

12 7. He shall require the payment of all fees prescribed
13 in this Act, and all such fees received by him shall be
14 placed in the Road Fund of the State treasury except as
15 otherwise provided in Section 12 of this Act.

16 (Source: P.A. 93-840, eff. 7-30-04.)

17 (15 ILCS 335/4C new)

18 Sec. 4C. Homeless person status. For the purposes of this
19 Act, an individual's status as a "homeless person" may be
20 verified by a human services, legal services, or other worker
21 that has knowledge of the individual's housing status,
22 including, but not limited to:

23 (1) a homeless service agency receiving federal,
24 State, county, or municipal funding to provide those
25 services or otherwise sanctioned by local continuum of

1 care;

2 (2) an attorney licensed to practice in the State of
3 Illinois;

4 (3) a public school homeless liaison or school social
5 worker; or

6 (4) a human services provider funded by the State of
7 Illinois to serve homeless or runaway youth, individuals
8 with mental illness, or individuals with addictions.

9 Individuals who are homeless must not be charged for this
10 verification. The Secretary of State by rule shall establish
11 standards and procedures consistent with this Section for
12 waiver of the Illinois Identification Care fee based on
13 homelessness, which shall include the name and address of the
14 individual and the agency providing verification of
15 homelessness. Any falsification of this official record is
16 subject to penalty.

17 (15 ILCS 335/12) (from Ch. 124, par. 32)

18 Sec. 12. Fees concerning Standard Illinois Identification
19 Cards. The fees required under this Act for standard Illinois
20 Identification Cards must accompany any application provided
21 for in this Act, and the Secretary shall collect such fees as
22 follows:

- 23 a. Original card issued on or before
- 24 December 31, 2004 \$4
- 25 Original card issued on or after

1	January 1, 2005	\$20
2	b. Renewal card issued on or before	
3	December 31, 2004	4
4	Renewal card issued on or after	
5	January 1, 2005	20
6	c. Corrected card issued on or before	
7	December 31, 2004	2
8	Corrected card issued on or after	
9	January 1, 2005	10
10	d. Duplicate card issued on or before	
11	December 31, 2004	4
12	Duplicate card issued on or after	
13	January 1, 2005	20
14	e. Certified copy with seal	5
15	f. Search	2
16	g. Applicant 65 years of age or over	No Fee
17	h. Disabled applicant	No Fee
18	i. Individual living in Veterans	
19	Home or Hospital	No Fee
20	j. Original card issued on or after July 1, 2007	
21	under 18 years of age	\$10
22	k. Renewal card issued on or after July 1, 2007	
23	under 18 years of age	\$10
24	l. Corrected card issued on or after July 1, 2007	
25	under 18 years of age	\$5
26	m. Duplicate card issued on or after July 1, 2007	

1 under 18 years of age \$10

2 n. Homeless person No Fee

3 All fees collected under this Act shall be paid into the
4 Road Fund of the State treasury, except that the following
5 amounts shall be paid into the General Revenue Fund: (i) 80% of
6 the fee for an original, renewal, or duplicate Illinois
7 Identification Card issued on or after January 1, 2005; and
8 (ii) 80% of the fee for a corrected Illinois Identification
9 Card issued on or after January 1, 2005.

10 Any disabled person making an application for a standard
11 Illinois Identification Card for no fee must, along with the
12 application, submit an affirmation by the applicant on a form
13 to be provided by the Secretary of State, attesting that such
14 person is a disabled person as defined in Section 4A of this
15 Act.

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

24 The application of a homeless individual for an Illinois
25 Identification Card to be issued at no fee must be accompanied
26 by an affirmation by a qualified person, as defined in Section

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

4 (Source: P.A. 95-55, eff. 8-10-07.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.