



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1693

Introduced 2/15/2013, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4	from Ch. 124, par. 24
15 ILCS 335/5	from Ch. 124, par. 25
625 ILCS 5/6-106	from Ch. 95 1/2, par. 6-106

Amends the Illinois Identification Card Act. Allows peace officers to provide their work address in lieu of their home address when applying for an Illinois Identification Card. Amends the Illinois Vehicle Code. Allows peace officers to provide their work address in lieu of their home address when applying for a driver's license or instruction permit.

LRB098 09866 MLW 40024 b

1 AN ACT concerning State government.

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

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

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

7 Sec. 4. Identification Card.

8 (a) The Secretary of State shall issue a standard Illinois
9 Identification Card to any natural person who is a resident of
10 the State of Illinois who applies for such card, or renewal
11 thereof, or who applies for a standard Illinois Identification
12 Card upon release as a committed person on parole, mandatory
13 supervised release, final discharge, or pardon from the
14 Department of Corrections by submitting an identification card
15 issued by the Department of Corrections under Section 3-14-1 of
16 the Unified Code of Corrections, together with the prescribed
17 fees. No identification card shall be issued to any person who
18 holds a valid foreign state identification card, license, or
19 permit unless the person first surrenders to the Secretary of
20 State the valid foreign state identification card, license, or
21 permit. The card shall be prepared and supplied by the
22 Secretary of State and shall include a photograph and signature
23 or mark of the applicant. However, the Secretary of State may

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

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

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

25 (b) The Secretary of State shall issue a special Illinois
26 Identification Card, which shall be known as an Illinois Person

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

1 in the presence of two witnesses who attest to the authenticity
2 of the mark. The Illinois Person with a Disability
3 Identification Card may be used for identification purposes in
4 any lawful situation by the person to whom it was issued.

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

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

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

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

11 (c) The Secretary of State shall provide that each original
12 or renewal Illinois Identification Card or Illinois Person with
13 a Disability Identification Card issued to a person under the
14 age of 21~~7~~ shall be of a distinct nature from those Illinois
15 Identification Cards or Illinois Person with a Disability
16 Identification Cards issued to individuals 21 years of age or
17 older. The color designated for Illinois Identification Cards
18 or Illinois Person with a Disability Identification Cards for
19 persons under the age of 21 shall be at the discretion of the
20 Secretary of State.

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

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

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

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

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

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

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

14 (Source: P.A. 96-146, eff. 1-1-10; 96-328, eff. 8-11-09;
15 96-1231, eff. 7-23-10; 97-371, eff. 1-1-12; 97-739, eff.
16 1-1-13; 97-847, eff. 1-1-13; 97-1064, eff. 1-1-13; revised
17 9-5-12.)

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

19 Sec. 5. Applications.

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

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

23 (b) Beginning on or before July 1, 2015, for each original
24 or renewal identification card application under this Act, the
25 Secretary shall inquire as to whether the applicant is a
26 veteran for purposes of issuing an identification card with a

1 veteran designation under subsection (c-5) of Section 4 of this
2 Act. The acceptable forms of proof shall include, but are not
3 limited to, Department of Defense form DD-214. The Secretary
4 shall determine by rule what other forms of proof of a person's
5 status as a veteran are acceptable.

6 The Illinois Department of Veterans' Affairs shall confirm
7 the status of the applicant as an honorably discharged veteran
8 before the Secretary may issue the identification card.

9 For purposes of this subsection (b):

10 "Active duty" means active duty under an executive order of
11 the President of the United States, an Act of the Congress of
12 the United States, or an order of the Governor.

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

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

19 (Source: P.A. 96-1231, eff. 7-23-10; 97-371, eff. 1-1-12;
20 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1064, eff. 1-1-13;
21 revised 9-5-12.)

22 Section 10. The Illinois Vehicle Code is amended by
23 changing Section 6-106 as follows:

24 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

2 (a) Every application for any permit or license authorized
3 to be issued under this Act shall be made upon a form furnished
4 by the Secretary of State. Every application shall be
5 accompanied by the proper fee and payment of such fee shall
6 entitle the applicant to not more than 3 attempts to pass the
7 examination within a period of 1 year after the date of
8 application.

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

1 eligibility. The Secretary of State may, in his discretion, by
2 rule or regulation, provide that an application for a drivers
3 license or permit may include a suitable photograph of the
4 applicant in the form prescribed by the Secretary, and he may
5 further provide that each drivers license shall include a
6 photograph of the driver. The Secretary of State may utilize a
7 photograph process or system most suitable to deter alteration
8 or improper reproduction of a drivers license and to prevent
9 substitution of another photo thereon.

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

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

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

8 (e) Beginning on or before July 1, 2015, for each original
9 or renewal driver's license application under this Act, the
10 Secretary shall inquire as to whether the applicant is a
11 veteran for purposes of issuing a driver's license with a
12 veteran designation under subsection (e-5) of Section 6-110 of
13 this Chapter. The acceptable forms of proof shall include, but
14 are not limited to, Department of Defense form DD-214. The
15 Secretary shall determine by rule what other forms of proof of
16 a person's status as a veteran are acceptable.

17 The Illinois Department of Veterans' Affairs shall confirm
18 the status of the applicant as an honorably discharged veteran
19 before the Secretary may issue the driver's license.

20 For purposes of this subsection (e):

21 "Active duty" means active duty under an executive order of
22 the President of the United States, an Act of the Congress of
23 the United States, or an order of the Governor.

24 "Armed forces" means any of the Armed Forces of the United
25 States, including a member of any reserve component or National
26 Guard unit called to active duty.

1 "Veteran" means a person who has served on active duty in
2 the armed forces and was discharged or separated under
3 honorable conditions.

4 (Source: P.A. 96-1231, eff. 7-23-10; 97-263, eff. 8-5-11;
5 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; revised 8-3-12.)