



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5959

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4	from Ch. 124, par. 24
730 ILCS 5/3-2.5-75	
730 ILCS 5/3-14-1	from Ch. 38, par. 1003-14-1

Amends the Illinois Identification Card Act. Provides that for those who apply for a standard Illinois Identification Card upon release as a committed person on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the Department of Corrections or Department of Juvenile Justice, the Secretary of State shall issue a standard Illinois Identification Card at the time of release (rather than after submission of an identification card issued by the Department of Corrections or the Department of Juvenile Justice) to all released eligible individuals. Defines "released eligible individuals". Amends the Unified Code of Corrections. Provides that the Department of Corrections or the Department of Juvenile Justice shall verify a released person's full name, date of birth, and social security number, and provide that information to the Secretary of State for the purpose of issuing standard Illinois Identification Cards to released eligible individuals under the Illinois Identification Card Act. Provides that the Department of Corrections or the Department of Juvenile Justice shall report annually to the Governor and the General Assembly the percentage of persons released from custody without a valid standard Illinois Identification Card. Discontinues the issuance of identification cards by the Department of Corrections or the Department of Juvenile Justice to recently released persons. Makes conforming changes.

LRB099 20475 RJF 44989 b

1 AN ACT concerning the Secretary of State.

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 Section 4 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, together with prescribed fees. For those who apply ~~or~~
12 ~~who applies~~ for a standard Illinois Identification Card upon
13 release as a committed person on parole, mandatory supervised
14 release, aftercare release, final discharge, or pardon from the
15 Department of Corrections or Department of Juvenile Justice,
16 the Secretary of State shall issue a standard Illinois
17 Identification Card at the time of release to all released
18 eligible individuals prescribed under subsection (a-3) of this
19 Section by submitting an identification card issued by the
20 ~~Department of Corrections or Department of Juvenile Justice~~
21 ~~under Section 3-14-1 or Section 3-2.5-70 of the Unified Code of~~
22 ~~Corrections,~~ together with the prescribed fees. No
23 identification card shall be issued to any person who holds a

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

18 (a-3) For purposes of subsection (a), "released eligible
19 individuals" means a person or persons meeting the following
20 requirements:

21 (1) a person released as a committed person on parole,
22 mandatory supervised release, aftercare release, final
23 discharge, or pardon from the Department of Corrections or
24 Department of Juvenile Justice that has previously held an
25 Illinois driver's license or a standard Illinois
26 Identification Card; and

1 (2) the Department of Corrections or Department of
2 Juvenile Justice under Section 3-14-1 or Section 3-2.5-70
3 of the Unified Code of Corrections has verified the
4 released person's full name, date of birth, and social
5 security number, and has provided that information to the
6 Secretary of State.

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

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

25 (a-15) The Secretary of State may provide for an expedited
26 process for the issuance of an Illinois Identification Card.

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

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

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

20 The Illinois Person with a Disability Identification Card
21 may be used as adequate documentation of disability in lieu of
22 a physician's determination of disability, a determination of
23 disability from a physician assistant, a determination of
24 disability from an advanced practice nurse, or any other
25 documentation of disability whenever any State law requires
26 that a person with a disability provide such documentation of

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

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

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

22 (c) The Secretary of State shall provide that each original
23 or renewal Illinois Identification Card or Illinois Person with
24 a Disability Identification Card issued to a person under the
25 age of 21 shall be of a distinct nature from those Illinois
26 Identification Cards or Illinois Person with a Disability

1 Identification Cards issued to individuals 21 years of age or
2 older. The color designated for Illinois Identification Cards
3 or Illinois Person with a Disability Identification Cards for
4 persons under the age of 21 shall be at the discretion of the
5 Secretary of State.

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

11 (c-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 in
16 identifying these veterans and delivering these vital services
17 and benefits, the Secretary of State is authorized to issue
18 Illinois Identification Cards and Illinois Person with a
19 Disability Identification Cards with the word "veteran"
20 appearing on the face of the cards. This authorization is
21 predicated on the unique status of veterans. The Secretary may
22 not issue any other identification card which identifies an
23 occupation, status, affiliation, hobby, or other unique
24 characteristics of the identification card holder which is
25 unrelated to the purpose of the identification card.

26 (c-5) Beginning on or before July 1, 2015, the Secretary of

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

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

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

25 (Source: P.A. 98-323, eff. 1-1-14; 98-463, eff. 8-16-13;
26 98-558, eff. 1-1-14; 98-756, eff. 7-16-14; 99-143, eff.

1 7-27-15; 99-173, eff. 7-29-15; 99-305, eff. 1-1-16; revised
2 10-14-15.)

3 Section 10. The Unified Code of Corrections is amended by
4 changing Sections 3-2.5-75 and 3-14-1 as follows:

5 (730 ILCS 5/3-2.5-75)

6 Sec. 3-2.5-75. Release from Department of Juvenile
7 Justice.

8 (a) Upon release of a youth on aftercare, the Department
9 shall return all property held for the youth, provide the youth
10 with suitable clothing, and procure necessary transportation
11 for the youth to his or her designated place of residence and
12 employment. It may provide the youth with a grant of money for
13 travel and expenses which may be paid in installments. The
14 amount of the money grant shall be determined by the
15 Department.

16 (b) Before a wrongfully imprisoned person, as defined in
17 Section 3-1-2 of this Code, is discharged from the Department,
18 the Department shall provide him or her with any documents
19 necessary after discharge, ~~including an identification card~~
20 ~~under subsection (c) of this Section.~~

21 (c) The Department of Juvenile Justice may establish and
22 maintain, in any institution it administers, revolving funds to
23 be known as "Travel and Allowances Revolving Funds". These
24 revolving funds shall be used for advancing travel and expense

1 allowances to committed, released, and discharged youth. The
2 moneys paid into these revolving funds shall be from
3 appropriations to the Department for committed, released, and
4 discharged prisoners.

5 (d) Upon the release of a youth on aftercare, the
6 Department shall provide that youth with information
7 concerning programs and services of the Department of Public
8 Health to ascertain whether that youth has been exposed to the
9 human immunodeficiency virus (HIV) or any identified causative
10 agent of Acquired Immunodeficiency Syndrome (AIDS).

11 (e) Upon the release of a youth on aftercare or who has
12 been wrongfully imprisoned, the Department shall verify the
13 youth's full name, date of birth, and social security number,
14 and provide that information to the Secretary of State for the
15 purpose of issuing standard Illinois Identification Cards to
16 released eligible individuals under Section 4 of the Illinois
17 Identification Card Act. The Department shall also report
18 annually to the Governor and the General Assembly the
19 percentage of youths released from custody without a valid
20 standard Illinois Identification Card ~~provide the youth who has~~
21 ~~met the criteria established by the Department with an~~
22 ~~identification card identifying the youth as being on aftercare~~
23 ~~or wrongfully imprisoned, as the case may be. The Department,~~
24 ~~in consultation with the Office of the Secretary of State,~~
25 ~~shall prescribe the form of the identification card, which may~~
26 ~~be similar to the form of the standard Illinois Identification~~

1 ~~Card. The Department shall inform the youth that he or she may~~
2 ~~present the identification card to the Office of the Secretary~~
3 ~~of State upon application for a standard Illinois~~
4 ~~Identification Card in accordance with the Illinois~~
5 ~~Identification Card Act. The Department shall require the youth~~
6 ~~to pay a \$1 fee for the identification card.~~

7 ~~For purposes of a youth receiving an identification card~~
8 ~~issued by the Department under this subsection, the Department~~
9 ~~shall establish criteria that the youth must meet before the~~
10 ~~card is issued. It is the sole responsibility of the youth~~
11 ~~requesting the identification card issued by the Department to~~
12 ~~meet the established criteria. The youth's failure to meet the~~
13 ~~criteria is sufficient reason to deny the youth the~~
14 ~~identification card. An identification card issued by the~~
15 ~~Department under this subsection shall be valid for a period of~~
16 ~~time not to exceed 30 calendar days from the date the card is~~
17 ~~issued. The Department shall not be held civilly or criminally~~
18 ~~liable to anyone because of any act of any person utilizing a~~
19 ~~card issued by the Department under this subsection.~~

20 ~~The Department shall adopt rules governing the issuance of~~
21 ~~identification cards to youth being released on aftercare or~~
22 ~~pardon.~~

23 (Source: P.A. 98-558, eff. 1-1-14; 98-685, eff. 1-1-15.)

24 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

25 Sec. 3-14-1. Release from the Institution.

1 (a) Upon release of a person on parole, mandatory release,
2 final discharge or pardon the Department shall return all
3 property held for him, provide him with suitable clothing and
4 procure necessary transportation for him to his designated
5 place of residence and employment. It may provide such person
6 with a grant of money for travel and expenses which may be paid
7 in installments. The amount of the money grant shall be
8 determined by the Department.

9 (a-1) The Department shall, before a wrongfully imprisoned
10 person, as defined in Section 3-1-2 of this Code, is discharged
11 from the Department, provide him or her with any documents
12 necessary after discharge, ~~including an identification card~~
13 ~~under subsection (c) of this Section.~~

14 (a-2) The Department of Corrections may establish and
15 maintain, in any institution it administers, revolving funds to
16 be known as "Travel and Allowances Revolving Funds". These
17 revolving funds shall be used for advancing travel and expense
18 allowances to committed, paroled, and discharged prisoners.
19 The moneys paid into such revolving funds shall be from
20 appropriations to the Department for Committed, Paroled, and
21 Discharged Prisoners.

22 (b) (Blank).

23 (c) Except as otherwise provided in this Code, the
24 Department shall establish procedures to provide written
25 notification of any release of any person who has been
26 convicted of a felony to the State's Attorney and sheriff of

1 the county from which the offender was committed, and the
2 State's Attorney and sheriff of the county into which the
3 offender is to be paroled or released. Except as otherwise
4 provided in this Code, the Department shall establish
5 procedures to provide written notification to the proper law
6 enforcement agency for any municipality of any release of any
7 person who has been convicted of a felony if the arrest of the
8 offender or the commission of the offense took place in the
9 municipality, if the offender is to be paroled or released into
10 the municipality, or if the offender resided in the
11 municipality at the time of the commission of the offense. If a
12 person convicted of a felony who is in the custody of the
13 Department of Corrections or on parole or mandatory supervised
14 release informs the Department that he or she has resided,
15 resides, or will reside at an address that is a housing
16 facility owned, managed, operated, or leased by a public
17 housing agency, the Department must send written notification
18 of that information to the public housing agency that owns,
19 manages, operates, or leases the housing facility. The written
20 notification shall, when possible, be given at least 14 days
21 before release of the person from custody, or as soon
22 thereafter as possible. The written notification shall be
23 provided electronically if the State's Attorney, sheriff,
24 proper law enforcement agency, or public housing agency has
25 provided the Department with an accurate and up to date email
26 address.

1 (c-1) (Blank).

2 (c-2) The Department shall establish procedures to provide
3 notice to the Department of State Police of the release or
4 discharge of persons convicted of violations of the
5 Methamphetamine Control and Community Protection Act or a
6 violation of the Methamphetamine Precursor Control Act. The
7 Department of State Police shall make this information
8 available to local, State, or federal law enforcement agencies
9 upon request.

10 (c-5) If a person on parole or mandatory supervised release
11 becomes a resident of a facility licensed or regulated by the
12 Department of Public Health, the Illinois Department of Public
13 Aid, or the Illinois Department of Human Services, the
14 Department of Corrections shall provide copies of the following
15 information to the appropriate licensing or regulating
16 Department and the licensed or regulated facility where the
17 person becomes a resident:

18 (1) The mittimus and any pre-sentence investigation
19 reports.

20 (2) The social evaluation prepared pursuant to Section
21 3-8-2.

22 (3) Any pre-release evaluation conducted pursuant to
23 subsection (j) of Section 3-6-2.

24 (4) Reports of disciplinary infractions and
25 dispositions.

26 (5) Any parole plan, including orders issued by the

1 Prisoner Review Board, and any violation reports and
2 dispositions.

3 (6) The name and contact information for the assigned
4 parole agent and parole supervisor.

5 This information shall be provided within 3 days of the
6 person becoming a resident of the facility.

7 (c-10) If a person on parole or mandatory supervised
8 release becomes a resident of a facility licensed or regulated
9 by the Department of Public Health, the Illinois Department of
10 Public Aid, or the Illinois Department of Human Services, the
11 Department of Corrections shall provide written notification
12 of such residence to the following:

13 (1) The Prisoner Review Board.

14 (2) The chief of police and sheriff in the municipality
15 and county in which the licensed facility is located.

16 The notification shall be provided within 3 days of the
17 person becoming a resident of the facility.

18 (d) Upon the release of a committed person on parole,
19 mandatory supervised release, final discharge or pardon, the
20 Department shall provide such person with information
21 concerning programs and services of the Illinois Department of
22 Public Health to ascertain whether such person has been exposed
23 to the human immunodeficiency virus (HIV) or any identified
24 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

25 (e) Upon the release of a committed person on parole,
26 mandatory supervised release, final discharge, pardon, or who

1 has been wrongfully imprisoned, the Department shall verify the
2 released person's full name, date of birth, and social security
3 number, and provide that information to the Secretary of State
4 for the purpose of issuing standard Illinois Identification
5 Cards to released eligible individuals under Section 4 of the
6 Illinois Identification Card Act. The Department shall also
7 report annually to the Governor and the General Assembly the
8 percentage of persons released from custody without a valid
9 standard Illinois Identification Card ~~provide the person who~~
10 ~~has met the criteria established by the Department with an~~
11 ~~identification card identifying the person as being on parole,~~
12 ~~mandatory supervised release, final discharge, pardon, or~~
13 ~~wrongfully imprisoned, as the case may be. The Department, in~~
14 ~~consultation with the Office of the Secretary of State, shall~~
15 ~~prescribe the form of the identification card, which may be~~
16 ~~similar to the form of the standard Illinois Identification~~
17 ~~Card. The Department shall inform the committed person that he~~
18 ~~or she may present the identification card to the Office of the~~
19 ~~Secretary of State upon application for a standard Illinois~~
20 ~~Identification Card in accordance with the Illinois~~
21 ~~Identification Card Act. The Department shall require the~~
22 ~~committed person to pay a \$1 fee for the identification card.~~

23 ~~For purposes of a committed person receiving an~~
24 ~~identification card issued by the Department under this~~
25 ~~subsection, the Department shall establish criteria that the~~
26 ~~committed person must meet before the card is issued. It is the~~

1 ~~sole responsibility of the committed person requesting the~~
2 ~~identification card issued by the Department to meet the~~
3 ~~established criteria. The person's failure to meet the criteria~~
4 ~~is sufficient reason to deny the committed person the~~
5 ~~identification card. An identification card issued by the~~
6 ~~Department under this subsection shall be valid for a period of~~
7 ~~time not to exceed 30 calendar days from the date the card is~~
8 ~~issued. The Department shall not be held civilly or criminally~~
9 ~~liable to anyone because of any act of any person utilizing a~~
10 ~~card issued by the Department under this subsection.~~

11 ~~The Department shall adopt rules governing the issuance of~~
12 ~~identification cards to committed persons being released on~~
13 ~~parole, mandatory supervised release, final discharge, or~~
14 ~~pardon.~~

15 (f) Forty-five days prior to the scheduled discharge of a
16 person committed to the custody of the Department of
17 Corrections, the Department shall give the person who is
18 otherwise uninsured an opportunity to apply for health care
19 coverage including medical assistance under Article V of the
20 Illinois Public Aid Code in accordance with subsection (b) of
21 Section 1-8.5 of the Illinois Public Aid Code, and the
22 Department of Corrections shall provide assistance with
23 completion of the application for health care coverage
24 including medical assistance. The Department may adopt rules to
25 implement this Section.

26 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15.)