

SB2194



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2194

Introduced 11/3/2015, by Sen. Jason A. Barickman

SYNOPSIS AS INTRODUCED:

15 ILCS 335/5
625 ILCS 5/6-106

from Ch. 124, par. 25
from Ch. 95 1/2, par. 6-106

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Allows the issuance of an identification card or a driver's license with a veteran designation to a member of the armed forces, including a member of any reserve component or National Guard unit, regardless of whether he or she served on active duty. Makes conforming changes. Effective immediately.

LRB099 14409 RJF 38506 b

A BILL FOR

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 5 as follows:

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

7 Sec. 5. Applications.

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

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

18 (b) Beginning on or before July 1, 2015, for each original
19 or renewal identification card application under this Act, the
20 Secretary shall inquire as to whether the applicant is a
21 veteran for purposes of issuing an identification card with a
22 veteran designation under subsection (c-5) of Section 4 of this
23 Act. The acceptable forms of proof shall include, but are not
24 limited to, Department of Defense form DD-214. The Secretary
25 shall determine by rule what other forms of proof of a person's
26 status as a veteran are acceptable.

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

4 For purposes of this subsection (b):

5 ~~"Active duty" means active duty under an executive order of~~
6 ~~the President of the United States, an Act of the Congress of~~
7 ~~the United States, or an order of the Governor.~~

8 "Armed forces" means any of the Armed Forces of the United
9 States, including a member of any reserve component or National
10 Guard unit ~~called to active duty~~.

11 "Veteran" means a person who has served ~~on active duty~~ in
12 the armed forces, including a member of any reserve component
13 or National Guard unit, and was discharged or separated under
14 honorable conditions.

15 (Source: P.A. 97-371, eff. 1-1-12; 97-739, eff. 1-1-13; 97-847,
16 eff. 1-1-13; 97-1064, eff. 1-1-13; 98-323, eff. 1-1-14; 98-463,
17 eff. 8-16-13.)

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

20 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

22 (a) Every application for any permit or license authorized
23 to be issued under this Code shall be made upon a form
24 furnished by the Secretary of State. Every application shall be

1 accompanied by the proper fee and payment of such fee shall
2 entitle the applicant to not more than 3 attempts to pass the
3 examination within a period of one year after the date of
4 application.

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

1 further provide that each drivers license shall include a
2 photograph of the driver. The Secretary of State may utilize a
3 photograph process or system most suitable to deter alteration
4 or improper reproduction of a drivers license and to prevent
5 substitution of another photo thereon. For the purposes of this
6 subsection (b), "peace officer" means any person who by virtue
7 of his or her office or public employment is vested by law with
8 a duty to maintain public order or to make arrests for a
9 violation of any penal statute of this State, whether that duty
10 extends to all violations or is limited to specific violations.

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

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

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

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

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

21 For purposes of this subsection (e):

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

25 "Armed forces" means any of the Armed Forces of the United
26 States, including a member of any reserve component or National

1 Guard unit ~~called to active duty~~.

2 "Veteran" means a person who has served ~~on active duty~~ in
3 the armed forces, including a member of any reserve component
4 or National Guard unit, and was discharged or separated under
5 honorable conditions.

6 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847,
7 eff. 1-1-13; 98-323, eff. 1-1-14; 98-463, eff. 8-16-13; 98-756,
8 eff. 7-16-14.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.