

AN ACT concerning transportation.

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

Section 5. The Consular Identification Document Act is amended by changing Section 10 as follows:

(5 ILCS 230/10)

Sec. 10. Acceptance of consular identification document.

(a) When requiring members of the public to provide identification, each State agency and officer and unit of local government shall accept a consular identification document as valid identification of a person.

(b) A consular identification document shall be accepted for purposes of identification only and does not convey an independent right to receive benefits of any type.

(c) A consular identification document may not be accepted as identification for obtaining a REAL ID compliant driver's license, as defined by Section 6-100 of the Vehicle Code, ~~other than a temporary visitor's driver's license,~~ or registering to vote.

(d) A consular identification document does not establish or indicate lawful U.S. immigration status and may not be viewed as valid for that purpose, nor does a consular identification document establish a foreign national's right

to be in the United States or remain in the United States.

(e) The requirements of subsection (a) do not apply if:

(1) a federal law, regulation, or directive or a federal court decision requires a State agency or officer or a unit of local government to obtain different identification;

(2) a federal law, regulation, or directive preempts state regulation of identification requirements; or

(3) a State agency or officer or a unit of local government would be unable to comply with a condition imposed by a funding source which would cause the State agency or officer or unit of local government to lose funds from that source.

(f) Nothing in subsection (a) shall be construed to prohibit a State agency or officer or a unit of local government from:

(1) requiring additional information from persons in order to verify a current address or other facts that would enable the State agency or officer or unit of local government to fulfill its responsibilities, except that this paragraph (1) does not permit a State agency or officer or a unit of local government to require additional information solely in order to establish identification of the person when the consular identification document is the form of identification presented;

(2) requiring fingerprints for identification purposes under circumstances where the State agency or officer or unit of local government also requires fingerprints from persons who have a driver's license or Illinois Identification Card; or

(3) requiring additional evidence of identification if the State agency or officer or unit of local government reasonably believes that: (A) the consular identification document is forged, fraudulent, or altered; or (B) the holder does not appear to be the same person on the consular identification document.

(Source: P.A. 97-1157, eff. 11-28-13.)

Section 10. The Election Code is amended by changing Section 1A-16.1 as follows:

(10 ILCS 5/1A-16.1)

Sec. 1A-16.1. Automatic voter registration; Secretary of State.

(a) The Office of the Secretary of State and the State Board of Elections, pursuant to an interagency contract and jointly-adopted rules, shall establish an automatic voter registration program that satisfies the requirements of this Section and other applicable law.

(b) If an application, an application for renewal, a change of address form, or a recertification form for a

driver's license, ~~other than a temporary visitor's driver's license,~~ or a State identification card issued by the Office of the Secretary of State meets the requirements of the federal REAL ID Act of 2005, then that application shall serve as a dual-purpose application. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) allow an applicant to change his or her registered residence address or name as it appears on the voter registration rolls;

(3) provide the applicant with an opportunity to affirmatively decline to register to vote or to change his or her registered residence address or name by providing a check box on the application form without requiring the applicant to state the reason; and

(4) unless the applicant declines to register to vote or change his or her registered residence address or name, require the applicant to attest, by signature under penalty of perjury as described in subsection (e) of this Section, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her driver's license or identification card dual-purpose application.

(b-5) If an application, an application for renewal, a change of address form, or a recertification form for a

driver's license, ~~other than a temporary visitor's driver's license,~~ or a State identification card issued by the Office of the Secretary of State, other than an application or form that pertains to a standard driver's license or identification card and does not list a social security number for the applicant, does not meet the requirements of the federal REAL ID Act of 2005, then that application shall serve as a dual-purpose application. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) allow an applicant to change his or her registered residence address or name as it appears on the voter registration rolls; and

(3) if the applicant chooses to register to vote or to change his or her registered residence address or name, then require the applicant to attest, by a separate signature under penalty of perjury, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her dual-purpose application.

(b-10) The Office of the Secretary of State shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois, (ii) of the penalties provided by law for submission of a false voter registration application, (iii) that, unless the applicant declines to register to vote or update his or her voter

registration, his or her dual-purpose application shall also serve as both an application to register to vote and his or her attestation that he or she meets the eligibility requirements for voter registration, and that his or her application to register to vote or update his or her registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on his or her driver's license or identification card, and (iv) that declining to register to vote is confidential and will not affect any services the person may be seeking from the Office of the Secretary of State.

(c) The Office of the Secretary of State shall review information provided to the Office of the Secretary of State by the State Board of Elections to inform each applicant for a driver's license or permit, ~~other than a temporary visitor's driver's license,~~ or a State identification card issued by the Office of the Secretary of State, other than an application or form that pertains to a standard driver's license or identification card and does not list a social security number for the applicant, whether the applicant is currently registered to vote in Illinois and, if registered, at what address.

(d) The Office of the Secretary of State shall not require an applicant for a driver's license or State identification card to provide duplicate identification or information in order to complete an application to register to vote or change

his or her registered residence address or name. Before transmitting any personal information about an applicant to the State Board of Elections, the Office of the Secretary of State shall review its records of the identification documents the applicant provided in order to complete the application for a driver's license or State identification card, to confirm that nothing in those documents indicates that the applicant does not satisfy the qualifications to register to vote in Illinois at his or her residence address.

(e) A completed, signed application for (i) a driver's license or permit, ~~other than a temporary visitor's driver's license,~~ or a State identification card issued by the Office of the Secretary of State, that meets the requirements of the federal REAL ID Act of 2005; or (ii) a completed application under subsection (b-5) of this Section with a separate signature attesting the applicant meets the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her application shall constitute a signed application to register to vote in Illinois at the residence address indicated in the application unless the person affirmatively declined in the application to register to vote or to change his or her registered residence address or name. If the identification documents provided to complete the dual-purpose application indicate that he or she does not satisfy the qualifications to register to vote in Illinois at his or her residence address, the application shall be marked

as incomplete.

(f) For each completed and signed application that constitutes an application to register to vote in Illinois or provides for a change in the applicant's registered residence address or name, the Office of the Secretary of State shall electronically transmit to the State Board of Elections personal information needed to complete the person's registration to vote in Illinois at his or her residence address. The application to register to vote shall be processed in accordance with Section 1A-16.7.

(g) If the federal REAL ID Act of 2005 is repealed, abrogated, superseded, or otherwise no longer in effect, then the State Board of Elections shall establish criteria for determining reliable personal information indicating citizenship status and shall adopt rules as necessary for the Secretary of State to continue processing dual-purpose applications under this Section.

(h) As used in this Section, "dual-purpose application" means an application, an application for renewal, a change of address form, or a recertification form for driver's license or permit, ~~other than a temporary visitor's driver's license,~~ or a State identification card offered by the Secretary of State, other than an application or form that pertains to a standard driver's license or identification card and does not list a social security number for the applicant, that also serves as an application to register to vote in Illinois.

"Dual-purpose application" does not mean an application under subsection (c) of Section 6-109 of the Illinois Vehicle Code.

(Source: P.A. 100-464, eff. 8-28-17.)

Section 15. The Illinois Identification Card Act is amended by changing Sections 1A, 2, 4, 4D, 5, and 11 as follows:

(15 ILCS 335/1A)

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

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

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

"Fraudulent identification card" means any identification card that purports to be an official identification card for which a computerized number and file have not been created by the Secretary of State, the United States Government or any state or political subdivision thereof, or any governmental or quasi-governmental organization. For the purpose of this Act, any identification card that resembles an official identification card in either size, color, photograph

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

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

"Personally identifying information" means information that identifies an individual, including his or her identification card number, name, address (but not the 5-digit zip code), date of birth, height, weight, hair color, eye color, email address, and telephone number.

"Homeless person" or "homeless individual" has the same

meaning as defined by the federal McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11302, or 42 U.S.C. 11434a(2).

"Youth for whom the Department of Children and Family Services is legally responsible" or "foster child" means a child or youth whose guardianship or custody has been accepted by the Department of Children and Family Services pursuant to the Juvenile Court Act of 1987, the Children and Family Services Act, the Abused and Neglected Child Reporting Act, and the Adoption Act. This applies to children for whom the Department of Children and Family Services has temporary protective custody, custody or guardianship via court order, or children whose parents have signed an adoptive surrender or voluntary placement agreement with the Department.

"REAL ID compliant identification card" means a standard Illinois Identification Card or Illinois Person with a Disability Identification Card issued in compliance with the REAL ID Act and implementing regulations. REAL ID compliant identification cards shall bear a security marking approved by the United States Department of Homeland Security.

"Standard ~~Non-compliant~~ identification card" means a standard Illinois Identification Card or Illinois Person with a Disability Identification Card issued in a manner which is not compliant with the REAL ID Act and implementing regulations. Standard ~~Non-compliant~~ identification cards shall be marked "Federal Limits Apply" ~~"Not for Federal Identification"~~ and shall have a color or design different

from the REAL ID compliant identification card.

"Limited Term REAL ID compliant identification card" means a REAL ID compliant identification card that is issued to persons who are not permanent residents or citizens of the United States, or an individual who has an approved application for asylum in the United States or has entered the United States in refugee status, and is marked "Limited Term" on the face of the card.

(Source: P.A. 100-201, eff. 8-18-17; 100-248, eff. 8-22-17; 101-326, eff. 8-9-19.)

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

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

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

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

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

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

3. He may prescribe or provide suitable forms as

necessary, including such forms as are necessary to establish that an applicant for an Illinois Person with a Disability Identification Card is a "person with a disability" as defined in Section 4A of this Act, and establish that an applicant for a State identification card is a "homeless person" as defined in Section 1A of this Act.

4. He may prepare under the seal of the Secretary of State certified copies of any records utilized under this Act and any such certified copy shall be admissible in any proceeding in any court in like manner as the original thereof.

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

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

7. He shall require the payment of all fees prescribed in this Act, and all such fees received by him shall be placed in the Road Fund of the State treasury except as otherwise provided in Section 12 of this Act. Whenever any application to the Secretary for an identification card under this Act is accompanied by any fee, as required by

law, and the application is denied after a review of eligibility, which may include facial recognition comparison, the applicant shall not be entitled to a refund of any fees paid.

8. Beginning July 1, 2017, he shall refuse to issue a REAL ID compliant identification card under this Act to any person who has been issued a REAL ID compliant driver's license under the Illinois Vehicle Code. Any such person may, at his or her discretion, surrender the REAL ID compliant driver's license in order to become eligible to obtain a REAL ID compliant identification card.

9. The Secretary may issue both REAL ID compliant identification cards and standard ~~non-compliant~~ identification cards, and may permit applicants to designate which type of identification card they wish to receive. All provisions of this Act applicable to standard ~~non-compliant~~ identification cards shall also apply to REAL ID compliant identification cards, except where the provisions are inconsistent with the REAL ID Act and implementing regulations. The Secretary shall establish by rule the date on which issuance of REAL ID compliant identification cards will begin.

(Source: P.A. 99-143, eff. 7-27-15; 99-305, eff. 1-1-16; 99-511, eff. 1-1-17; 99-642, eff. 7-28-16; 100-248, eff. 8-22-17.)

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

Sec. 4. Identification card.

(a) The Secretary of State shall issue a standard Illinois Identification Card to any natural person who is a resident of the State of Illinois who applies for such card, or renewal thereof. No identification card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The card shall be prepared and supplied by the Secretary of State and shall include a photograph and signature or mark of the applicant. However, the Secretary of State may provide by rule for the issuance of Illinois Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. The Illinois Identification Card may be used for identification purposes in any lawful situation only by the person to whom it was issued. As used in this Act, "photograph" means any color photograph or digitally produced and captured image of an applicant for an identification card. As used in this Act, "signature" means the name of a person as written by that person and captured in a manner acceptable to the Secretary of State.

(a-5) If an applicant for an identification card has a current driver's license or instruction permit issued by the Secretary of State, the Secretary may require the applicant to

utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

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

(a-15) The Secretary of State may provide for an expedited process for the issuance of an Illinois Identification Card. The Secretary shall charge an additional fee for the expedited issuance of an Illinois Identification Card, to be set by rule, not to exceed \$75. All fees collected by the Secretary for expedited Illinois Identification Card service shall be deposited into the Secretary of State Special Services Fund. The Secretary may adopt rules regarding the eligibility, process, and fee for an expedited Illinois Identification Card. If the Secretary of State determines that the volume of

expedited identification card requests received on a given day exceeds the ability of the Secretary to process those requests in an expedited manner, the Secretary may decline to provide expedited services, and the additional fee for the expedited service shall be refunded to the applicant.

(a-20) The Secretary of State shall issue a standard Illinois Identification Card to a committed person upon release on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the Department of Corrections or Department of Juvenile Justice, if the released person presents a certified copy of his or her birth certificate, social security card, if the person has a social security number, or other documents authorized by the Secretary, and 2 documents proving his or her Illinois residence address. Documents proving residence address may include any official document of the Department of Corrections or the Department of Juvenile Justice showing the released person's address after release and a Secretary of State prescribed certificate of residency form, which may be executed by Department of Corrections or Department of Juvenile Justice personnel.

(a-25) The Secretary of State shall issue a limited-term Illinois Identification Card valid for 90 days to a committed person upon release on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the Department of Corrections or Department of Juvenile Justice,

if the released person is unable to present a certified copy of his or her birth certificate and social security card, if the person has a social security number, or other documents authorized by the Secretary, but does present a Secretary of State prescribed verification form completed by the Department of Corrections or Department of Juvenile Justice, verifying the released person's date of birth and social security number, if the person has a social security number, and 2 documents proving his or her Illinois residence address. The verification form must have been completed no more than 30 days prior to the date of application for the Illinois Identification Card. Documents proving residence address shall include any official document of the Department of Corrections or the Department of Juvenile Justice showing the person's address after release and a Secretary of State prescribed certificate of residency, which may be executed by Department of Corrections or Department of Juvenile Justice personnel.

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

(a-30) The Secretary of State shall issue a standard

Illinois Identification Card to a person upon conditional release or absolute discharge from the custody of the Department of Human Services, if the person presents a certified copy of his or her birth certificate, social security card, if the person has a social security number, or other documents authorized by the Secretary, and a document proving his or her Illinois residence address. The Secretary of State shall issue a standard Illinois Identification Card to a person prior to his or her conditional release or absolute discharge if personnel from the Department of Human Services bring the person to a Secretary of State location with the required documents. Documents proving residence address may include any official document of the Department of Human Services showing the person's address after release and a Secretary of State prescribed verification form, which may be executed by personnel of the Department of Human Services.

(a-35) The Secretary of State shall issue a limited-term Illinois Identification Card valid for 90 days to a person upon conditional release or absolute discharge from the custody of the Department of Human Services, if the person is unable to present a certified copy of his or her birth certificate and social security card, if the person has a social security number, or other documents authorized by the Secretary, but does present a Secretary of State prescribed verification form completed by the Department of Human Services, verifying the person's date of birth and social

security number, if the person has a social security number, and a document proving his or her Illinois residence address. The verification form must have been completed no more than 30 days prior to the date of application for the Illinois Identification Card. The Secretary of State shall issue a limited-term Illinois Identification Card to a person no sooner than 14 days prior to his or her conditional release or absolute discharge if personnel from the Department of Human Services bring the person to a Secretary of State location with the required documents. Documents proving residence address shall include any official document of the Department of Human Services showing the person's address after release and a Secretary of State prescribed verification form, which may be executed by personnel of the Department of Human Services.

(b) The Secretary of State shall issue a special Illinois Identification Card, which shall be known as an Illinois Person with a Disability Identification Card, to any natural person who is a resident of the State of Illinois, who is a person with a disability as defined in Section 4A of this Act, who applies for such card, or renewal thereof. No Illinois Person with a Disability Identification Card shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. The Secretary of State shall charge

no fee to issue such card. The card shall be prepared and supplied by the Secretary of State, and shall include a photograph and signature or mark of the applicant, a designation indicating that the card is an Illinois Person with a Disability Identification Card, and shall include a comprehensible designation of the type and classification of the applicant's disability as set out in Section 4A of this Act. However, the Secretary of State may provide by rule for the issuance of Illinois Person with a Disability Identification Cards without photographs if the applicant has a bona fide religious objection to being photographed or to the display of his or her photograph. If the applicant so requests, the card shall include a description of the applicant's disability and any information about the applicant's disability or medical history which the Secretary determines would be helpful to the applicant in securing emergency medical care. If a mark is used in lieu of a signature, such mark shall be affixed to the card in the presence of two witnesses who attest to the authenticity of the mark. The Illinois Person with a Disability Identification Card may be used for identification purposes in any lawful situation by the person to whom it was issued.

The Illinois Person with a Disability Identification Card may be used as adequate documentation of disability in lieu of a physician's determination of disability, a determination of disability from a physician assistant, a determination of

disability from an advanced practice registered nurse, or any other documentation of disability whenever any State law requires that a person with a disability provide such documentation of disability, however an Illinois Person with a Disability Identification Card shall not qualify the cardholder to participate in any program or to receive any benefit which is not available to all persons with like disabilities. Notwithstanding any other provisions of law, an Illinois Person with a Disability Identification Card, or evidence that the Secretary of State has issued an Illinois Person with a Disability Identification Card, shall not be used by any person other than the person named on such card to prove that the person named on such card is a person with a disability or for any other purpose unless the card is used for the benefit of the person named on such card, and the person named on such card consents to such use at the time the card is so used.

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

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

(c) The Secretary of State shall provide that each

original or renewal Illinois Identification Card or Illinois Person with a Disability Identification Card issued to a person under the age of 21 shall be of a distinct nature from those Illinois Identification Cards or Illinois Person with a Disability Identification Cards issued to individuals 21 years of age or older. The color designated for Illinois Identification Cards or Illinois Person with a Disability Identification Cards for persons under the age of 21 shall be at the discretion of the Secretary of State.

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

(c-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue Illinois Identification Cards and Illinois Person with a Disability Identification Cards with the word "veteran" appearing on the face of the cards. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other identification card which identifies an

occupation, status, affiliation, hobby, or other unique characteristics of the identification card holder which is unrelated to the purpose of the identification card.

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

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

(e) The Secretary of State, in his or her discretion, may designate on each Illinois Identification Card or Illinois Person with a Disability Identification Card a space where the card holder may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may

specify, that shall indicate in appropriate language that the card holder has renewed his or her Illinois Identification Card or Illinois Person with a Disability Identification Card. (Source: P.A. 102-299, eff. 8-6-21.)

(15 ILCS 335/4D)

Sec. 4D. Issuance of confidential identification cards.

(a) Requirements for use of confidential identification cards. Confidential identification cards may be issued to local, state, and federal government agencies for bona fide law enforcement purposes. The identification cards may be issued in fictitious names and addresses, and may be used only in confidential, investigative, or undercover law enforcement operations. Confidential identification cards may be issued as REAL ID compliant or standard ~~non-compliant~~ identification cards.

(b) Application procedures for confidential identification cards:

(1) Applications by local, state, and federal government agencies for confidential identification cards must be made to the Secretary of State Police Department on a form and in a manner prescribed by the Secretary of State Police Department.

(2) The application form must include information, as specific as possible without compromising investigations or techniques, setting forth the need for the

identification cards and the uses to which the identification cards will be limited.

(3) The application form must be signed and verified by the local, state, or federal government agency head or designee.

(4) Information maintained by the Secretary of State Police Department for confidential identification cards must show the fictitious names and addresses on all records subject to public disclosure. All other information concerning these confidential identification cards are exempt from disclosure unless the disclosure is ordered by a court of competent jurisdiction.

(c) Cancellation procedures for confidential identification cards:

(1) The Secretary of State Police Department may cancel or refuse to renew confidential identification cards when they have reasonable cause to believe the cards are being used for purposes other than those set forth in the application form or authorized by this Section.

(2) A government agency must request cancellation of confidential identification cards that are no longer required for the purposes for which they were issued.

(3) Upon the request of the Secretary of State Police Department, all cancelled confidential identification cards must be promptly returned to the Secretary of State Police Department by the government agency to which they

were issued.

(Source: P.A. 100-248, eff. 8-22-17.)

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

Sec. 5. Applications.

(a) Any natural person who is a resident of the State of Illinois may file an application for an identification card, or for the renewal thereof, in a manner prescribed by the Secretary. Each original application shall be completed by the applicant in full and shall set forth the legal name, residence address and zip code, social security number, if the person has a social security number, birth date, sex and a brief description of the applicant. The applicant shall be photographed, unless the Secretary of State has provided by rule for the issuance of identification cards without photographs and the applicant is deemed eligible for an identification card without a photograph under the terms and conditions imposed by the Secretary of State, and he or she shall also submit any other information as the Secretary may deem necessary or such documentation as the Secretary may require to determine the identity of the applicant. In addition to the residence address, the Secretary may allow the applicant to provide a mailing address. If the applicant is a judicial officer as defined in Section 1-10 of the Judicial Privacy Act or a peace officer, the applicant may elect to have his or her office or work address in lieu of the applicant's

residence or mailing address. An applicant for an Illinois Person with a Disability Identification Card must also submit with each original or renewal application, on forms prescribed by the Secretary, such documentation as the Secretary may require, establishing that the applicant is a "person with a disability" as defined in Section 4A of this Act, and setting forth the applicant's type and class of disability as set forth in Section 4A of this Act. For the purposes of this subsection (a), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

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

(b) Beginning on or before July 1, 2015, for each original

or renewal identification card application under this Act, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing an identification card with a veteran designation under subsection (c-5) of Section 4 of this Act. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214, Department of Defense form DD-256 for applicants who did not receive a form DD-214 upon the completion of initial basic training, Department of Defense form DD-2 (Retired), an identification card issued under the federal Veterans Identification Card Act of 2015, or a United States Department of Veterans Affairs summary of benefits letter. If the document cannot be stamped, the Illinois Department of Veterans' Affairs shall provide a certificate to the veteran to provide to the Secretary of State. The Illinois Department of Veterans' Affairs shall advise the Secretary as to what other forms of proof of a person's status as a veteran are acceptable.

For each applicant who is issued an identification card with a veteran designation, the Secretary shall provide the Department of Veterans' Affairs with the applicant's name, address, date of birth, gender, and such other demographic information as agreed to by the Secretary and the Department. The Department may take steps necessary to confirm the applicant is a veteran. If after due diligence, including writing to the applicant at the address provided by the Secretary, the Department is unable to verify the applicant's

veteran status, the Department shall inform the Secretary, who shall notify the applicant that he or she must confirm status as a veteran, or the identification card will be cancelled.

For purposes of this subsection (b):

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

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

(c) All applicants for REAL ID compliant standard Illinois Identification Cards and Illinois Person with a Disability Identification Cards shall provide proof of lawful status in the United States as defined in 6 CFR 37.3, as amended. Applicants who are unable to provide the Secretary with proof of lawful status are ineligible for REAL ID compliant identification cards under this Act.

(d) The Secretary of State may accept, as proof of date of birth and written signature for any applicant for a standard identification card who does not have a social security number or documentation issued by the United States Department of Homeland Security authorizing the applicant's presence in this country, any passport validly issued to the applicant from the applicant's country of citizenship or a consular identification document validly issued to the applicant by a consulate of that country as defined in Section 5 of the

Consular Identification Document Act. Any such documents must be either unexpired or presented by an applicant within 2 years of its expiration date.

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

(15 ILCS 335/11) (from Ch. 124, par. 31)

Sec. 11. Records.

(a) The Secretary may make a search of his records and furnish information as to whether a person has a current Standard Illinois Identification Card or an Illinois Person with a Disability Identification Card then on file, upon receipt of a written application therefor accompanied with the prescribed fee. However, the Secretary may not disclose medical information concerning an individual to any person, public agency, private agency, corporation or governmental body unless the individual has submitted a written request for the information or unless the individual has given prior written consent for the release of the information to a specific person or entity. This exception shall not apply to: (1) offices and employees of the Secretary who have a need to know the medical information in performance of their official duties, or (2) orders of a court of competent jurisdiction. When medical information is disclosed by the Secretary in accordance with the provisions of this Section, no liability shall rest with the Office of the Secretary of State as the

information is released for informational purposes only.

(b) Except as otherwise provided in this Section, the Secretary may release personally identifying information only to:

(1) officers and employees of the Secretary who have a need to know that information for issuance of driver's licenses, permits, or identification cards and investigation of fraud or misconduct;

(2) other governmental agencies for use in their official governmental functions;

(3) law enforcement agencies for a criminal or civil investigation, except as restricted by subsections (g) and (h);

(3-5) the State Board of Elections as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system; or

(4) any entity that the Secretary has authorized, by rule.

(c) Except as otherwise provided in this Section, the Secretary may release highly restricted personal information only to:

(1) officers and employees of the Secretary who have a need to access the information for the issuance of driver's licenses, permits, or identification cards and investigation of fraud or misconduct;

(2) law enforcement officials for a criminal or civil law enforcement investigation, except as restricted by subsections (g) and (h);

(3) the State Board of Elections for the purpose of providing the signature for completion of voter registration; or

(4) any other entity the Secretary has authorized by rule.

(d) Documents required to be submitted with an application for an identification card to prove the applicant's identity (name and date of birth), social security number or lack of a social security number, written signature, residency, and, as applicable, citizenship and immigration ~~proof of lawful~~ status and country of citizenship shall be confidential and shall not be disclosed except to the following persons:

(1) the individual to whom the identification card was issued, upon written request;

(2) officers and employees of the Secretary of State who have a need to have access to the stored images for purposes of issuing and controlling driver's licenses, permits, or identification cards and investigation of fraud or misconduct;

(3) law enforcement officials for a civil or criminal law enforcement investigation, except as restricted by subsections (g) and (h);

(4) other entities that the Secretary may authorize by

rule.

(e) The Secretary may not disclose an individual's social security number or any associated information obtained from the Social Security Administration without the written request or consent of the individual except: (i) to officers and employees of the Secretary who have a need to know the social security number in the performance of their official duties; (ii) except as restricted by subsections (g) and (h) to law enforcement officials for a civil or criminal law enforcement investigation if an officer of the law enforcement agency has made a written request to the Secretary specifying the law enforcement investigation for which the social security number is being sought; (iii) under a lawful court order signed by a judge; (iv) to the Illinois Department of Veterans' Affairs for the purpose of confirming veteran status to agencies in other states responsible for the issuance of state identification cards for participation in State-to-State verification service; or (v) the last 4 digits to the Illinois State Board of Elections for purposes of voter registration and as may be required pursuant to an agreement for a multi-state voter registration list maintenance system. The Secretary retains the right to require additional verification regarding the validity of a request from law enforcement. If social security information is disclosed by the Secretary in accordance with this Section, no liability shall rest with the Office of the Secretary of State or any of its officers or

employees, as the information is released for official purposes only.

(f) The Secretary of State shall not provide facial recognition search services or photographs obtained in the process of issuing an identification card to any federal, State, or local law enforcement agency or other governmental entity for the purpose of enforcing federal immigration laws. This subsection shall not apply to requests from federal, State, or local law enforcement agencies or other governmental entities for facial recognition search services or photographs obtained in the process of issuing a driver's license or permit when the purpose of the request relates to criminal activity other than violations of immigration laws.

(g) Notwithstanding any other provision of law, the Secretary may not release highly restricted personal information or personally identifying information or disclose documents described in subsection (d) to any immigration agent, as defined in Section 10 of the Illinois TRUST Act, unless necessary to comply with the following, to the extent that production of such information or documents is specifically required:

(1) a lawful court order;

(2) a judicial warrant signed by a judge appointed pursuant to Article III of the Constitution of the United States; or

(3) a subpoena for individual records issued by a

federal or State court.

When responding to such a court order, warrant, or subpoena, the Secretary shall disclose only those documents or information specifically requested. Within 3 business days of receiving such a court order, warrant, or subpoena, the Secretary shall send a notification to the individual about whom such information was requested that a court order, warrant, or subpoena was received and the identity of the entity that presented the court order, warrant, or subpoena.

(h) The Secretary shall not enter into or maintain any agreement regarding the sharing of any highly restricted personal information or personally identifying information or documents described in subsection (d) unless all other parties to such agreement certify that the information obtained will not be used for civil immigration purposes or knowingly disseminated to any third party for any purpose related to civil immigration enforcement.

(Source: P.A. 101-326, eff. 8-9-19; 102-354, eff. 8-13-21.)

Section 20. The Illinois Vehicle Code is amended by changing Sections 6-100, 6-100.5, 6-105.1, 6-106, 6-110.1, 6-110.2, 6-121, and 6-122 and by adding Section 6-110.3 as follows:

(625 ILCS 5/6-100) (from Ch. 95 1/2, par. 6-100)

Sec. 6-100. Definitions. For the purposes of this Chapter,

the following words shall have the meanings ascribed to them:

(a) Application Process. The process of obtaining a driver's license, identification card, or permit. The process begins when a person enters a Secretary of State Driver Services facility and requests a driver's license, identification card or permit.

(b) Conviction. A final adjudication of guilty by a court of competent jurisdiction either after a bench trial, trial by jury, plea of guilty, order of forfeiture, or default.

(c) Identification Card. A document made or issued by or under the authority of the United States Government, the State of Illinois or any other state or political subdivision thereof, or any governmental or quasi-governmental organization that, when completed with information concerning the individual, is of a type intended or commonly accepted for the purpose of identifying the individual.

(d) Standard ~~Non-compliant~~ driver's license. A driver's license issued in a manner which is not compliant with the REAL ID Act and implementing regulations. Standard ~~Non-compliant~~ driver's licenses shall be marked "Federal Limits Apply" ~~"Not for Federal Identification"~~ and shall have a color or design different from the REAL ID compliant driver's license.

(e) REAL ID compliant driver's license. A driver's license issued in compliance with the REAL ID Act and implementing regulations. REAL ID compliant driver's licenses shall bear a security marking approved by the United States Department of

Homeland Security.

(f) Limited Term REAL ID compliant driver's license. A REAL ID compliant driver's license issued to a person who is not a permanent resident or citizen of the United States, or an individual who has an approved application for asylum in the United States or has entered the United States in refugee status, and marked "Limited Term" on the face of the license.

(Source: P.A. 100-248, eff. 8-22-17.)

(625 ILCS 5/6-100.5)

Sec. 6-100.5. Issuance of REAL ID compliant and standard ~~non-compliant~~ driver's licenses. The Secretary of State may issue both REAL ID compliant driver's licenses and standard ~~non-compliant~~ driver's licenses, and may permit applicants to designate which type of driver's license they wish to receive. All provisions of this Code applicable to standard ~~non-compliant~~ driver's licenses shall also apply to REAL ID compliant driver's licenses, except where the provisions are inconsistent with the REAL ID Act and implementing regulations. The Secretary shall establish by rule the date on which issuance of REAL ID compliant driver's licenses will begin.

(Source: P.A. 100-248, eff. 8-22-17.)

(625 ILCS 5/6-105.1)

Sec. 6-105.1. Temporary visitor's driver's license.

(a) The Secretary of State may issue a temporary visitor's driver's license to a foreign national who (i) resides in this State, (ii) is ineligible to obtain a social security number, and (iii) presents to the Secretary documentation, issued by United States Citizenship and Immigration Services, authorizing the person's presence in this country.

(a-5) The Secretary of State may issue a temporary visitor's driver's license to an applicant who (i) has resided in this State for a period in excess of one year, (ii) is ineligible to obtain a social security number, and (iii) is unable to present documentation issued by the United States Citizenship and Immigration Services authorizing the person's presence in this country. The applicant shall submit a valid unexpired passport from the applicant's country of citizenship or a valid unexpired consular identification document issued by a consulate of that country as defined in Section 5 of the Consular Identification Document Act (5 ILCS 230/5).

(a-10) Applicants for a temporary visitor's driver's license who are under 18 years of age at the time of application shall be subject to the provisions of Sections 6-107 and 6-108 of this Code.

(b) A temporary visitor's driver's license issued under subsection (a) is valid for 3 years, or for the period of time the individual is authorized to remain in this country, whichever ends sooner. A temporary visitor's driver's license issued under subsection (a-5) shall be valid for a period of 3

years.

(b-5) A temporary visitor's driver's license issued under this Section may not be accepted for proof of the holder's identity. A temporary visitor's driver's license issued under this Section shall contain a notice on its face, in capitalized letters, stating that the temporary visitor's driver's license may not be accepted for proof of identity.

(c) The Secretary shall adopt rules for implementing this Section, including rules:

(1) regarding the design and content of the temporary visitor's driver's license;

(2) establishing criteria for proof of identification and residency of an individual applying under subsection (a-5);

(3) designating acceptable evidence that an applicant is not eligible for a social security number; and

(4) regarding the issuance of temporary visitor's instruction permits.

(d) Any person to whom the Secretary of State may issue a temporary visitor's driver's license shall be subject to any and all provisions of this Code and any and all implementing regulations issued by the Secretary of State to the same extent as any person issued a driver's license, unless otherwise provided in this Code or by administrative rule, including but not limited to the examination requirements in Section 6-109 as well as the mandatory insurance requirements

and penalties set forth in Article VI of Chapter 7 of this Code.

(d-5) A temporary visitor's driver's license is invalid if the holder is unable to provide proof of liability insurance as required by Section 7-601 of this Code upon the request of a law enforcement officer, in which case the holder commits a violation of Section 6-101 of this Code.

(e) Temporary visitor's driver's licenses shall be issued from a central location after the Secretary of State has verified the information provided by the applicant.

(f) There is created in the State treasury a special fund to be known as the Driver Services Administration Fund. All fees collected for the issuance of temporary visitor's driver's licenses shall be deposited into the Fund. These funds shall, subject to appropriation, be used by the Office of the Secretary of State for costs related to the issuance of temporary visitor's driver's licenses, and other operational costs, including personnel, facilities, computer programming, and data transmission.

(g) No temporary visitor's driver's licenses shall be issued after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 97-1157, eff. 11-28-13.)

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

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

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

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

discretion, by rule or regulation, provide that an application for a drivers license or permit may include a suitable photograph of the applicant in the form prescribed by the Secretary, and he may further provide that each drivers license shall include a photograph of the driver. The Secretary of State may utilize a photograph process or system most suitable to deter alteration or improper reproduction of a drivers license and to prevent substitution of another photo thereon. For the purposes of this subsection (b), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(b-1) Every application shall state the social security number of the applicant; except if the applicant is applying for a standard driver's license and, on the date of application, is ineligible for a social security number, then:

(1) if the applicant has documentation, issued by the United States Department of Homeland Security, authorizing the applicant's presence in this country, the applicant shall provide such documentation instead of a social security number; and

(2) if the applicant does not have documentation described in paragraph (1), the applicant shall provide, instead of a social security number, the following:

(A) documentation establishing that the applicant has resided in this State for a period in excess of one year;

(B) a passport validly issued to the applicant from the applicant's country of citizenship or a consular identification document validly issued to the applicant by a consulate of that country as defined in Section 5 of the Consular Identification Document Act, as long as such documents are either unexpired or presented by an applicant within 2 years of its expiration date; and

(C) a social security card, if the applicant has a social security number.

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

(b-5) Every applicant for a REAL ID compliant driver's license or permit shall provide proof of lawful status in the United States as defined in 6 CFR 37.3, as amended. ~~Applicants~~

~~who are unable to provide the Secretary with proof of lawful status may apply for a driver's license or permit under Section 6-105.1 of this Code.~~

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

(d) Any male United States citizen or immigrant who applies for any permit or license authorized to be issued under this Code or for a renewal of any permit or license, and who is at least 18 years of age but less than 26 years of age, must be registered in compliance with the requirements of the federal Military Selective Service Act. The Secretary of State must forward in an electronic format the necessary personal information regarding the applicants identified in this subsection (d) to the Selective Service System. The applicant's signature on the application serves as an indication that the applicant either has already registered with the Selective Service System or that he is authorizing the Secretary to forward to the Selective Service System the necessary information for registration. The Secretary must notify the applicant at the time of application that his signature constitutes consent to registration with the

Selective Service System, if he is not already registered.

(e) Beginning on or before July 1, 2015, for each original or renewal driver's license application under this Code, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing a driver's license with a veteran designation under subsection (e-5) of Section 6-110 of this Code. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214, Department of Defense form DD-256 for applicants who did not receive a form DD-214 upon the completion of initial basic training, Department of Defense form DD-2 (Retired), an identification card issued under the federal Veterans Identification Card Act of 2015, or a United States Department of Veterans Affairs summary of benefits letter. If the document cannot be stamped, the Illinois Department of Veterans' Affairs shall provide a certificate to the veteran to provide to the Secretary of State. The Illinois Department of Veterans' Affairs shall advise the Secretary as to what other forms of proof of a person's status as a veteran are acceptable.

For each applicant who is issued a driver's license with a veteran designation, the Secretary shall provide the Department of Veterans' Affairs with the applicant's name, address, date of birth, gender and such other demographic information as agreed to by the Secretary and the Department. The Department may take steps necessary to confirm the

applicant is a veteran. If after due diligence, including writing to the applicant at the address provided by the Secretary, the Department is unable to verify the applicant's veteran status, the Department shall inform the Secretary, who shall notify the applicant that he or she must confirm status as a veteran, or the driver's license will be cancelled.

For purposes of this subsection (e):

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

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

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

(625 ILCS 5/6-110.1)

Sec. 6-110.1. Confidentiality of captured photographs or images.

(a) The Secretary of State shall maintain a file on or contract to file all photographs and signatures obtained in the process of issuing a driver's license, permit, or identification card. Except as otherwise provided in this Section, the photographs and signatures shall be confidential and shall not be disclosed except to the following persons:

(1) the individual to whom the driver's license or

permit was issued, upon written request;

(2) officers and employees of the Secretary of State who have a need to have access to the stored images for purposes of issuing and controlling driver's licenses, permits, or identification cards and investigation of fraud or misconduct;

(3) law enforcement officials for a civil or criminal law enforcement investigation, except as restricted by section 6-110.3;

(3-5) the State Board of Elections for the sole purpose of providing the signatures required by a local election authority to register a voter through an online voter registration system;

(3-10) officers and employees of the Secretary of State who have a need to have access to the stored images for purposes of issuing and controlling notary public commissions and for the purpose of providing the signatures required to process online applications for appointment and commission as notaries public; or

(4) other entities that the Secretary may authorize by rule.

(b) The Secretary of State shall not provide facial recognition search services or photographs obtained in the process of issuing a driver's license or permit to any federal, State, or local law enforcement agency or other governmental entity for the purpose of enforcing federal

immigration laws. This subsection shall not apply to requests from federal, State, or local law enforcement agencies or other governmental entities for facial recognition search services or photographs obtained in the process of issuing a driver's license or permit when the purpose of the request relates to criminal activity other than violations of immigration laws.

(Source: P.A. 101-326, eff. 8-9-19; 102-354, eff. 8-13-21.)

(625 ILCS 5/6-110.2)

Sec. 6-110.2. Confidentiality of documents submitted with an application for a driver's license. Documents required to be submitted with an application for a driver's license to prove the applicant's identity (name and date of birth), social security number or lack of a social security number, written signature, residency, and, as applicable, citizenship or immigration ~~proof of lawful~~ status and country of citizenship shall be confidential and shall not be disclosed except to the following persons:

(1) the individual to whom the driver's license or permit was issued, upon written request;

(2) officers and employees of the Secretary of State who have a need to have access to the stored images for purposes of issuing and controlling driver's licenses, permits, or identification cards and investigation of fraud or misconduct;

(3) law enforcement officials for a civil or criminal law enforcement investigation, except as restricted by Section 6-110.3;

(4) other entities that the Secretary may authorize by rule.

(Source: P.A. 101-326, eff. 8-9-19.)

(625 ILCS 5/6-110.3 new)

Sec. 6-110.3. Restrictions on use of information for certain purposes.

(a) Notwithstanding any other provision of law, the Secretary may not release or make accessible in any manner any highly restricted personal information as defined in Section 1-125.9 or personally identifying information as defined in Section 1-159.2, provide images, photos, or facial recognition services as described in Section 6-110.1, or disclose documents as described in Section 6-110.2 to any immigration agent as defined in Section 10 of the Illinois TRUST Act, unless necessary to comply with the following, to the extent that production of such information or documents is specifically required:

(1) a lawful court order;

(2) a judicial warrant signed by a judge appointed pursuant to Article III of the Constitution of the United States; or

(3) a subpoena for individual records issued by a

federal or State court.

When responding to such a court order, warrant, or subpoena, the Secretary shall disclose only those documents or information specifically requested. Within 3 business days of receiving such a court order, warrant, or subpoena, the Secretary shall send a notification to the individual about whom such information was requested that a court order, warrant, or subpoena was received and the identity of the entity that presented the court order, warrant, or subpoena.

(b) The Secretary shall not enter into or maintain any agreement regarding the sharing of any highly restricted personal information as defined in Section 1-125.9, personally identifying information as defined in Section 1-159.2, images or photos described in Section 6-110.1, or documents described in Section 6-110.2 unless all other parties to such agreement certify that the information obtained will not be used for civil immigration purposes or knowingly disseminated to any third party for any purpose related to civil immigration enforcement.

(625 ILCS 5/6-121)

Sec. 6-121. Issuance of confidential drivers' licenses.

(a) Requirements for use of confidential drivers' licenses. Confidential drivers' licenses may be issued to local, state, and federal government agencies for bona fide law enforcement purposes. The drivers' licenses may be issued

with fictitious names and addresses, and may be used only for confidential, investigative, or undercover law enforcement operations. Confidential drivers' licenses may be issued as REAL ID compliant or standard ~~non-compliant~~ driver's licenses.

(b) Application procedures for confidential drivers' licenses:

(1) Applications by local, state, and federal government agencies for confidential drivers' licenses must be made to the Secretary of State Police Department on a form and in a manner prescribed by the Secretary of State Police Department.

(2) The application form must include information, as specific as possible without compromising investigations or techniques, setting forth the need for the drivers' licenses and the uses to which the licenses will be limited.

(3) The application form must be signed and verified by the local, state, or federal government agency head or designee.

(4) Registration information maintained by the Secretary of State Police Department for confidential drivers' licenses must show the fictitious names and addresses on all records subject to public disclosure. All other information concerning these confidential drivers' licenses are exempt from disclosure unless the disclosure is ordered by a court of competent jurisdiction.

(c) Revocation and cancellation procedures for confidential drivers' licenses:

(1) The Secretary of State Police Department may revoke or refuse to renew confidential drivers' licenses when they have reasonable cause to believe the licenses are being used for purposes other than those set forth in the application form or authorized by this Section. Confidential drivers' licenses may also be revoked where traffic violation citations have been issued to the driver and subsequent investigation reveals that the issuance of the citations was unrelated to the purposes for which the confidential driver's license was issued. In such cases, the citations and any resulting court orders, convictions, supervisions or other sanctions must be treated by the Secretary of State as though they were issued in relation to the true driver's license of the individual to whom the confidential driver's license was issued.

(2) A government agency must request cancellation of confidential drivers' licenses that are no longer required for the purposes for which they were issued.

(3) All revoked confidential drivers' licenses must be promptly returned to the Secretary of State Police Department by the government agency to which they were issued.

(Source: P.A. 100-248, eff. 8-22-17.)

(625 ILCS 5/6-122)

Sec. 6-122. Expedited driver's license. The Secretary of State may provide for an expedited process for the issuance of a driver's license, ~~excluding temporary visitor's driver's licenses~~. The Secretary shall charge an additional fee for the issuance of an expedited driver's license, to be set by rule, not to exceed \$75. All fees collected by the Secretary for expedited driver's license service shall be deposited into the Secretary of State Special Services Fund. The Secretary may adopt rules regarding the eligibility, process, and fee for an expedited driver's license.

(Source: P.A. 99-305, eff. 1-1-16.)

Section 99. Effective date. This Act takes effect July 1, 2024.

INDEX

Statutes amended in order of appearance

5 ILCS 230/10  
10 ILCS 5/1A-16.1  
15 ILCS 335/1A  
15 ILCS 335/2 from Ch. 124, par. 22  
15 ILCS 335/4 from Ch. 124, par. 24  
15 ILCS 335/4D  
15 ILCS 335/5 from Ch. 124, par. 25  
15 ILCS 335/8 from Ch. 124, par. 28  
15 ILCS 335/11 from Ch. 124, par. 31  
625 ILCS 5/6-100 from Ch. 95 1/2, par. 6-100  
625 ILCS 5/6-100.5  
625 ILCS 5/6-105.1  
625 ILCS 5/6-106 from Ch. 95 1/2, par. 6-106  
625 ILCS 5/6-110.1  
625 ILCS 5/6-110.2  
625 ILCS 5/6-110.3 new  
625 ILCS 5/6-115 from Ch. 95 1/2, par. 6-115  
625 ILCS 5/6-121  
625 ILCS 5/6-122