

# HB4687



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

**HB4687**

by Rep. Adam Brown - Chad Hays

#### 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 17085 AXK 41443 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.