

1 AN ACT concerning government.

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

4 Section 1. Short title. This Act may be cited as the Public  
5 Official Safety and Privacy Act.

6 Section 5. Purpose. The purpose of this Act is to improve  
7 the safety and security of Illinois public officials to ensure  
8 they are able to administer their public duties without fear  
9 of personal reprisal from individuals affected by the  
10 decisions they make in the course of carrying out their public  
11 functions.

12 This Act is not intended to restrain a public official  
13 from independently making public his or her own personal  
14 information. Additionally, no governmental agency, person,  
15 business, or association has any obligation under this Act to  
16 protect the privacy of a public official's personal  
17 information until the public official makes a written request  
18 that his or her personal information not be publicly posted.

19 Nothing in this Act shall be construed to impair free  
20 access to decisions and opinions expressed by public officials  
21 in the course of carrying out their public functions.

22 Section 10. Definitions. As used in this Act:

1 "Constitutional officers" means the officers established  
2 by Section 1 of Article V of the Illinois Constitution.

3 "Governmental agency" includes all agencies, authorities,  
4 boards, commissions, departments, institutions, offices, and  
5 any other bodies politic and corporate of the State created by  
6 the constitution or statute, whether in the executive,  
7 judicial, or legislative branch; all units and corporate  
8 outgrowths created by executive order of the Governor or any  
9 constitutional officer, by the Supreme Court, or by resolution  
10 of the General Assembly; or agencies, authorities, boards,  
11 commissions, departments, institutions, offices, and any other  
12 bodies politic and corporate of a unit of local government, or  
13 school district.

14 "Home address" includes a public official's permanent  
15 residence and any secondary residences affirmatively  
16 identified by the public official, but does not include a  
17 public official's work address.

18 "Immediate family" includes a public official's spouse,  
19 child, or parent or any individual who is a blood relative of  
20 the public official or the public official's spouse and who  
21 lives in the same residence as the public official.

22 "Personal information" means a home address, home  
23 telephone number, mobile telephone number, pager number,  
24 personal email address, social security number, federal tax  
25 identification number, checking and savings account numbers,  
26 credit card numbers, marital status, and identity of children

1 under the age of 18.

2 "Public official" includes:

3 (1) members or former members of the Illinois General  
4 Assembly;

5 (2) constitutional officers or former constitutional  
6 officers;

7 (3) elected or appointed State's Attorneys;

8 (4) appointed Public Defenders; and

9 (5) county clerks and members of a Board of Election  
10 Commissioners whose responsibilities include  
11 administering and overseeing elections.

12 "Publicly available content" means any written, printed,  
13 or electronic document or record that provides information or  
14 that serves as a document or record that provides information  
15 or that serves as a document or record maintained, controlled,  
16 or in the possession of a governmental agency that may be  
17 obtained by any person or entity, from the Internet, from the  
18 governmental agency upon request either free of charge or for  
19 a fee, or in response to a request under the Freedom of  
20 Information Act.

21 "Publicly post" or "publicly display" means to communicate  
22 to another or otherwise make available to the public.

23 "Written request" means written notice signed by a public  
24 official or a representative of the public official's office  
25 or the public official's employer requesting a governmental  
26 agency, person, business, or association to refrain from

1 posting or displaying publicly available content that includes  
2 the official's personal information.

3 Section 15. Publicly posting or displaying a public  
4 official's personal information by governmental agencies.

5 (a) Governmental agencies shall not publicly post or  
6 display publicly available content that includes a public  
7 official's personal information, provided that the  
8 governmental agency has received a written request in  
9 accordance with Section 25 of this Act that it refrain from  
10 disclosing the public official's personal information. After a  
11 governmental agency has received a written request, that  
12 agency shall remove the public official's personal information  
13 from publicly available content within 5 business days. After  
14 the governmental agency has removed the public official's  
15 personal information from publicly available content, the  
16 agency shall not publicly post or display the information, and  
17 the public official's personal information shall be exempt  
18 from the Freedom of Information Act unless the governmental  
19 agency has received consent from the public official to make  
20 the personal information available to the public.

21 (b) If a governmental agency fails to comply with a  
22 written request to refrain from disclosing personal  
23 information, the public official may bring an action seeking  
24 injunctive or declaratory relief in any court.

1           Section 20. Publicly posting a public official's personal  
2 information on the Internet by persons, businesses, and  
3 associations.

4           (a) Prohibited Conduct.

5           (1) All persons, businesses, and associations shall  
6 refrain from publicly posting or displaying on the  
7 Internet publicly available content that includes a public  
8 official's personal information, provided that the public  
9 official has made a written request to the person,  
10 business, or association that it refrain from disclosing  
11 the personal information.

12           (2) No person, business, or association shall solicit,  
13 sell, or trade on the Internet a public official's  
14 personal information with the intent to pose an imminent  
15 and serious threat to the health and safety of the public  
16 official or the public official's immediate family.

17           (3) This subsection includes, but is not limited to,  
18 Internet phone directories, Internet search engines,  
19 Internet data aggregators, and Internet service providers.

20           (b) Required Conduct.

21           (1) After a person, business, or association has  
22 received a written request from a public official to  
23 protect the privacy of the public official's personal  
24 information, that person, business, or association shall  
25 have 72 hours to remove the personal information from the  
26 Internet.

1           (2) After a person, business, or association has  
2 received a written request from a public official, that  
3 person, business, or association shall ensure that the  
4 public official's personal information is not made  
5 available on any website or subsidiary website controlled  
6 by that person, business, or association.

7           (3) After receiving a public official's written  
8 request, no person, business, or association shall  
9 transfer the public official's personal information to any  
10 other person, business, or association through any medium.

11           (c) Redress. A public official whose personal information  
12 is made public as a result of a violation of this Act may bring  
13 an action seeking injunctive or declaratory relief in any  
14 court. If the court grants injunctive or declaratory relief,  
15 the person, business, or association responsible for the  
16 violation shall be required to pay the public official's costs  
17 and reasonable attorney's fees.

18           Section 25. Procedure for completing a written request.

19           (a) No governmental agency, person, business, or  
20 association shall be found to have violated any provision of  
21 this Act if the public official fails to submit a written  
22 request calling for the protection of the public official's  
23 personal information.

24           (b) A written request shall be valid if:

25           (1) The public official sends a written request

1 directly to a governmental agency, person, business, or  
2 association; or

3 (2) The public official sends a written request to the  
4 Secretary of State in accordance with the policy and  
5 procedures adopted, by rule, by the Secretary of State for  
6 public officials to file written requests under this Act.  
7 In each quarter of a calendar year, the Secretary of State  
8 shall provide a list of all public officials who have  
9 submitted a written request under this paragraph to the  
10 appropriate officer with ultimate supervisory authority  
11 for a governmental agency. The officer shall promptly  
12 provide a copy of the list to any and all governmental  
13 agencies under his or her supervision. Receipt of the  
14 written request list compiled by the Secretary of State by  
15 a governmental agency shall constitute a written request  
16 to that governmental agency for the purposes of this Act.  
17 In each quarter of a calendar year, the Secretary of State  
18 shall provide a list of all public officials who have  
19 submitted a written request under this paragraph to the  
20 registered agent, president, manager, or otherwise highest  
21 ranking corporate officer with ultimate supervisory  
22 authority for a business or association. The person to  
23 which the list is provided shall promptly provide a copy  
24 of the list to any and all employees under his or her  
25 supervision who are responsible for compliance with this  
26 Act. Receipt of the written request list compiled by the

1 Secretary of State by a business or association shall  
2 constitute a written request to that business or  
3 association for the purposes of this Act.

4 (c) A representative from the public official's office or  
5 the public official's employer may submit a written request on  
6 the public official's behalf, provided that the public  
7 official gives written consent to the representative and  
8 provided that the representative agrees to furnish a copy of  
9 that consent when a written request is made. The  
10 representative shall submit the written request as provided in  
11 subsection (b) of this Section.

12 (d) A public official's written request shall specify what  
13 personal information shall be maintained private. If a public  
14 official wishes to identify a secondary residence as a home  
15 address as that term is defined in this Act, the designation  
16 shall be made in the written request. A public official shall  
17 disclose the identity of the public official's immediate  
18 family and indicate that the personal information of these  
19 family members shall also be excluded to the extent that it  
20 could reasonably be expected to reveal the personal  
21 information of the public official.

22 (e) A public official's written request is valid until the  
23 public official provides the governmental agency, person,  
24 business, or association with written permission to release  
25 the private information. A public official's written request  
26 expires on death.

1           (f) A written request made under paragraph (2) of  
2 subsection (b) shall be in a form substantially similar to the  
3 form for judicial requests for the removal of personal  
4 information pursuant to the Judicial Privacy Act.

5           Section 30. Unlawful publication of personal information.  
6 It is unlawful for any person to knowingly publicly post on the  
7 Internet the personal information of a public official or of  
8 the public official's immediate family if the person knows or  
9 reasonably should know that publicly posting the personal  
10 information poses an imminent and serious threat to the health  
11 and safety of the public official or the public official's  
12 immediate family and if the violation is a proximate cause of  
13 bodily injury or death of the public official or a member of  
14 the public official's immediate family. A person who violates  
15 this Section is guilty of a Class 3 felony.

16           Section 35. Exceptions for employees of governmental  
17 agencies. Provided that the employee of a governmental agency  
18 has complied with the conditions set forth in Sections 20 and  
19 25 of this Act, it is not a violation of Section 30 if an  
20 employee of a governmental agency publishes personal  
21 information, in good faith, on the website of the governmental  
22 agency in the ordinary course of carrying out public  
23 functions.

1 Section 40. Construction.

2 (a) This Act and any rules adopted to implement this Act  
3 shall be construed broadly to favor the protection of the  
4 personal information of public officials.

5 (b) Nothing in this Act is intended to limit the remedies  
6 available under any other law, including the Civil Liability  
7 for Doxing Act.

8 Section 900. The Freedom of Information Act is amended by  
9 changing Section 7 as follows:

10 (5 ILCS 140/7)

11 (Text of Section before amendment by P.A. 104-300)

12 Sec. 7. Exemptions.

13 (1) When a request is made to inspect or copy a public  
14 record that contains information that is exempt from  
15 disclosure under this Section, but also contains information  
16 that is not exempt from disclosure, the public body may elect  
17 to redact the information that is exempt. The public body  
18 shall make the remaining information available for inspection  
19 and copying. Subject to this requirement, the following shall  
20 be exempt from inspection and copying:

21 (a) Information specifically prohibited from  
22 disclosure by federal or State law or rules and  
23 regulations implementing federal or State law.

24 (b) Private information, unless disclosure is required

1 by another provision of this Act, a State or federal law,  
2 or a court order.

3 (b-5) Files, documents, and other data or databases  
4 maintained by one or more law enforcement agencies and  
5 specifically designed to provide information to one or  
6 more law enforcement agencies regarding the physical or  
7 mental status of one or more individual subjects.

8 (c) Personal information contained within public  
9 records, the disclosure of which would constitute a  
10 clearly unwarranted invasion of personal privacy, unless  
11 the disclosure is consented to in writing by the  
12 individual subjects of the information. "Unwarranted  
13 invasion of personal privacy" means the disclosure of  
14 information that is highly personal or objectionable to a  
15 reasonable person and in which the subject's right to  
16 privacy outweighs any legitimate public interest in  
17 obtaining the information. The disclosure of information  
18 that bears on the public duties of public employees and  
19 officials shall not be considered an invasion of personal  
20 privacy.

21 (d) Records in the possession of any public body  
22 created in the course of administrative enforcement  
23 proceedings, and any law enforcement or correctional  
24 agency for law enforcement purposes, but only to the  
25 extent that disclosure would:

26 (i) interfere with pending or actually and

1 reasonably contemplated law enforcement proceedings  
2 conducted by any law enforcement or correctional  
3 agency that is the recipient of the request;

4 (ii) interfere with active administrative  
5 enforcement proceedings conducted by the public body  
6 that is the recipient of the request;

7 (iii) create a substantial likelihood that a  
8 person will be deprived of a fair trial or an impartial  
9 hearing;

10 (iv) unavoidably disclose the identity of a  
11 confidential source, confidential information  
12 furnished only by the confidential source, or persons  
13 who file complaints with or provide information to  
14 administrative, investigative, law enforcement, or  
15 penal agencies; except that the identities of  
16 witnesses to traffic crashes, traffic crash reports,  
17 and rescue reports shall be provided by agencies of  
18 local government, except when disclosure would  
19 interfere with an active criminal investigation  
20 conducted by the agency that is the recipient of the  
21 request;

22 (v) disclose unique or specialized investigative  
23 techniques other than those generally used and known  
24 or disclose internal documents of correctional  
25 agencies related to detection, observation, or  
26 investigation of incidents of crime or misconduct, and

1 disclosure would result in demonstrable harm to the  
2 agency or public body that is the recipient of the  
3 request;

4 (vi) endanger the life or physical safety of law  
5 enforcement personnel or any other person; or

6 (vii) obstruct an ongoing criminal investigation  
7 by the agency that is the recipient of the request.

8 (d-5) A law enforcement record created for law  
9 enforcement purposes and contained in a shared electronic  
10 record management system if the law enforcement agency  
11 that is the recipient of the request did not create the  
12 record, did not participate in or have a role in any of the  
13 events which are the subject of the record, and only has  
14 access to the record through the shared electronic record  
15 management system.

16 (d-6) Records contained in the Officer Professional  
17 Conduct Database under Section 9.2 of the Illinois Police  
18 Training Act, except to the extent authorized under that  
19 Section. This includes the documents supplied to the  
20 Illinois Law Enforcement Training Standards Board from the  
21 Illinois State Police and Illinois State Police Merit  
22 Board.

23 (d-7) Information gathered or records created from the  
24 use of automatic license plate readers in connection with  
25 Section 2-130 of the Illinois Vehicle Code.

26 (e) Records that relate to or affect the security of

1 correctional institutions and detention facilities.

2 (e-5) Records requested by persons committed to the  
3 Department of Corrections, Department of Human Services  
4 Division of Mental Health, or a county jail if those  
5 materials are available in the library of the correctional  
6 institution or facility or jail where the inmate is  
7 confined.

8 (e-6) Records requested by persons committed to the  
9 Department of Corrections, Department of Human Services  
10 Division of Mental Health, or a county jail if those  
11 materials include records from staff members' personnel  
12 files, staff rosters, or other staffing assignment  
13 information.

14 (e-7) Records requested by persons committed to the  
15 Department of Corrections or Department of Human Services  
16 Division of Mental Health if those materials are available  
17 through an administrative request to the Department of  
18 Corrections or Department of Human Services Division of  
19 Mental Health.

20 (e-8) Records requested by a person committed to the  
21 Department of Corrections, Department of Human Services  
22 Division of Mental Health, or a county jail, the  
23 disclosure of which would result in the risk of harm to any  
24 person or the risk of an escape from a jail or correctional  
25 institution or facility.

26 (e-9) Records requested by a person in a county jail

1 or committed to the Department of Corrections or  
2 Department of Human Services Division of Mental Health,  
3 containing personal information pertaining to the person's  
4 victim or the victim's family, including, but not limited  
5 to, a victim's home address, home telephone number, work  
6 or school address, work telephone number, social security  
7 number, or any other identifying information, except as  
8 may be relevant to a requester's current or potential case  
9 or claim.

10 (e-10) Law enforcement records of other persons  
11 requested by a person committed to the Department of  
12 Corrections, Department of Human Services Division of  
13 Mental Health, or a county jail, including, but not  
14 limited to, arrest and booking records, mug shots, and  
15 crime scene photographs, except as these records may be  
16 relevant to the requester's current or potential case or  
17 claim.

18 (f) Preliminary drafts, notes, recommendations,  
19 memoranda, and other records in which opinions are  
20 expressed, or policies or actions are formulated, except  
21 that a specific record or relevant portion of a record  
22 shall not be exempt when the record is publicly cited and  
23 identified by the head of the public body. The exemption  
24 provided in this paragraph (f) extends to all those  
25 records of officers and agencies of the General Assembly  
26 that pertain to the preparation of legislative documents.

1 (g) Trade secrets and commercial or financial  
2 information obtained from a person or business where the  
3 trade secrets or commercial or financial information are  
4 furnished under a claim that they are proprietary,  
5 privileged, or confidential, and that disclosure of the  
6 trade secrets or commercial or financial information would  
7 cause competitive harm to the person or business, and only  
8 insofar as the claim directly applies to the records  
9 requested.

10 The information included under this exemption includes  
11 all trade secrets and commercial or financial information  
12 obtained by a public body, including a public pension  
13 fund, from a private equity fund or a privately held  
14 company within the investment portfolio of a private  
15 equity fund as a result of either investing or evaluating  
16 a potential investment of public funds in a private equity  
17 fund. The exemption contained in this item does not apply  
18 to the aggregate financial performance information of a  
19 private equity fund, nor to the identity of the fund's  
20 managers or general partners. The exemption contained in  
21 this item does not apply to the identity of a privately  
22 held company within the investment portfolio of a private  
23 equity fund, unless the disclosure of the identity of a  
24 privately held company may cause competitive harm.

25 Nothing contained in this paragraph (g) shall be  
26 construed to prevent a person or business from consenting

1 to disclosure.

2 (h) Proposals and bids for any contract, grant, or  
3 agreement, including information which if it were  
4 disclosed would frustrate procurement or give an advantage  
5 to any person proposing to enter into a contractor  
6 agreement with the body, until an award or final selection  
7 is made. Information prepared by or for the body in  
8 preparation of a bid solicitation shall be exempt until an  
9 award or final selection is made.

10 (i) Valuable formulae, computer geographic systems,  
11 designs, drawings, and research data obtained or produced  
12 by any public body when disclosure could reasonably be  
13 expected to produce private gain or public loss. The  
14 exemption for "computer geographic systems" provided in  
15 this paragraph (i) does not extend to requests made by  
16 news media as defined in Section 2 of this Act when the  
17 requested information is not otherwise exempt and the only  
18 purpose of the request is to access and disseminate  
19 information regarding the health, safety, welfare, or  
20 legal rights of the general public.

21 (j) The following information pertaining to  
22 educational matters:

23 (i) test questions, scoring keys, and other  
24 examination data used to administer an academic  
25 examination;

26 (ii) information received by a primary or

1 secondary school, college, or university under its  
2 procedures for the evaluation of faculty members by  
3 their academic peers;

4 (iii) information concerning a school or  
5 university's adjudication of student disciplinary  
6 cases, but only to the extent that disclosure would  
7 unavoidably reveal the identity of the student; and

8 (iv) course materials or research materials used  
9 by faculty members.

10 (k) Architects' plans, engineers' technical  
11 submissions, and other construction related technical  
12 documents for projects not constructed or developed in  
13 whole or in part with public funds and the same for  
14 projects constructed or developed with public funds,  
15 including, but not limited to, power generating and  
16 distribution stations and other transmission and  
17 distribution facilities, water treatment facilities,  
18 airport facilities, sport stadiums, convention centers,  
19 and all government owned, operated, or occupied buildings,  
20 but only to the extent that disclosure would compromise  
21 security.

22 (l) Minutes of meetings of public bodies closed to the  
23 public as provided in the Open Meetings Act until the  
24 public body makes the minutes available to the public  
25 under Section 2.06 of the Open Meetings Act.

26 (m) Communications between a public body and an

1 attorney or auditor representing the public body that  
2 would not be subject to discovery in litigation, and  
3 materials prepared or compiled by or for a public body in  
4 anticipation of a criminal, civil, or administrative  
5 proceeding upon the request of an attorney advising the  
6 public body, and materials prepared or compiled with  
7 respect to internal audits of public bodies.

8 (n) Records relating to a public body's adjudication  
9 of employee grievances or disciplinary cases; however,  
10 this exemption shall not extend to the final outcome of  
11 cases in which discipline is imposed.

12 (o) Administrative or technical information associated  
13 with automated data processing operations, including, but  
14 not limited to, software, operating protocols, computer  
15 program abstracts, file layouts, source listings, object  
16 modules, load modules, user guides, documentation  
17 pertaining to all logical and physical design of  
18 computerized systems, employee manuals, and any other  
19 information that, if disclosed, would jeopardize the  
20 security of the system or its data or the security of  
21 materials exempt under this Section.

22 (p) Records relating to collective negotiating matters  
23 between public bodies and their employees or  
24 representatives, except that any final contract or  
25 agreement shall be subject to inspection and copying.

26 (q) Test questions, scoring keys, and other

1 examination data used to determine the qualifications of  
2 an applicant for a license or employment.

3 (r) The records, documents, and information relating  
4 to real estate purchase negotiations until those  
5 negotiations have been completed or otherwise terminated.  
6 With regard to a parcel involved in a pending or actually  
7 and reasonably contemplated eminent domain proceeding  
8 under the Eminent Domain Act, records, documents, and  
9 information relating to that parcel shall be exempt except  
10 as may be allowed under discovery rules adopted by the  
11 Illinois Supreme Court. The records, documents, and  
12 information relating to a real estate sale shall be exempt  
13 until a sale is consummated.

14 (s) Any and all proprietary information and records  
15 related to the operation of an intergovernmental risk  
16 management association or self-insurance pool or jointly  
17 self-administered health and accident cooperative or pool.  
18 Insurance or self-insurance (including any  
19 intergovernmental risk management association or  
20 self-insurance pool) claims, loss or risk management  
21 information, records, data, advice, or communications.

22 (t) Information contained in or related to  
23 examination, operating, or condition reports prepared by,  
24 on behalf of, or for the use of a public body responsible  
25 for the regulation or supervision of financial  
26 institutions, insurance companies, or pharmacy benefit

1 managers, unless disclosure is otherwise required by State  
2 law.

3 (u) Information that would disclose or might lead to  
4 the disclosure of secret or confidential information,  
5 codes, algorithms, programs, or private keys intended to  
6 be used to create electronic signatures under the Uniform  
7 Electronic Transactions Act.

8 (v) Vulnerability assessments, security measures, and  
9 response policies or plans that are designed to identify,  
10 prevent, or respond to potential attacks upon a  
11 community's population or systems, facilities, or  
12 installations, but only to the extent that disclosure  
13 could reasonably be expected to expose the vulnerability  
14 or jeopardize the effectiveness of the measures, policies,  
15 or plans, or the safety of the personnel who implement  
16 them or the public. Information exempt under this item may  
17 include such things as details pertaining to the  
18 mobilization or deployment of personnel or equipment, to  
19 the operation of communication systems or protocols, to  
20 cybersecurity vulnerabilities, or to tactical operations.

21 (w) (Blank).

22 (x) Maps and other records regarding the location or  
23 security of generation, transmission, distribution,  
24 storage, gathering, treatment, or switching facilities  
25 owned by a utility, by a power generator, or by the  
26 Illinois Power Agency.

1           (y) Information contained in or related to proposals,  
2           bids, or negotiations related to electric power  
3           procurement under Section 1-75 of the Illinois Power  
4           Agency Act and Section 16-111.5 of the Public Utilities  
5           Act that is determined to be confidential and proprietary  
6           by the Illinois Power Agency or by the Illinois Commerce  
7           Commission.

8           (z) Information about students exempted from  
9           disclosure under Section 10-20.38 or 34-18.29 of the  
10          School Code, and information about undergraduate students  
11          enrolled at an institution of higher education exempted  
12          from disclosure under Section 25 of the Illinois Credit  
13          Card Marketing Act of 2009.

14          (aa) Information the disclosure of which is exempted  
15          under the Viatical Settlements Act of 2009.

16          (bb) Records and information provided to a mortality  
17          review team and records maintained by a mortality review  
18          team appointed under the Department of Juvenile Justice  
19          Mortality Review Team Act.

20          (cc) Information regarding interments, entombments, or  
21          inurnments of human remains that are submitted to the  
22          Cemetery Oversight Database under the Cemetery Care Act or  
23          the Cemetery Oversight Act, whichever is applicable.

24          (dd) Correspondence and records (i) that may not be  
25          disclosed under Section 11-9 of the Illinois Public Aid  
26          Code or (ii) that pertain to appeals under Section 11-8 of

1 the Illinois Public Aid Code.

2 (ee) The names, addresses, or other personal  
3 information of persons who are minors and are also  
4 participants and registrants in programs of park  
5 districts, forest preserve districts, conservation  
6 districts, recreation agencies, and special recreation  
7 associations.

8 (ff) The names, addresses, or other personal  
9 information of participants and registrants in programs of  
10 park districts, forest preserve districts, conservation  
11 districts, recreation agencies, and special recreation  
12 associations where such programs are targeted primarily to  
13 minors.

14 (gg) Confidential information described in Section  
15 1-100 of the Illinois Independent Tax Tribunal Act of  
16 2012.

17 (hh) The report submitted to the State Board of  
18 Education by the School Security and Standards Task Force  
19 under item (8) of subsection (d) of Section 2-3.160 of the  
20 School Code and any information contained in that report.

21 (ii) Records requested by persons committed to or  
22 detained by the Department of Human Services under the  
23 Sexually Violent Persons Commitment Act or committed to  
24 the Department of Corrections under the Sexually Dangerous  
25 Persons Act if those materials: (i) are available in the  
26 library of the facility where the individual is confined;

1 (ii) include records from staff members' personnel files,  
2 staff rosters, or other staffing assignment information;  
3 or (iii) are available through an administrative request  
4 to the Department of Human Services or the Department of  
5 Corrections.

6 (jj) Confidential information described in Section  
7 5-535 of the Civil Administrative Code of Illinois.

8 (kk) The public body's credit card numbers, debit card  
9 numbers, bank account numbers, Federal Employer  
10 Identification Number, security code numbers, passwords,  
11 and similar account information, the disclosure of which  
12 could result in identity theft or impersonation or defrauding  
13 of a governmental entity or a person.

14 (ll) Records concerning the work of the threat  
15 assessment team of a school district, including, but not  
16 limited to, any threat assessment procedure under the  
17 School Safety Drill Act and any information contained in  
18 the procedure.

19 (mm) Information prohibited from being disclosed under  
20 subsections (a) and (b) of Section 15 of the Student  
21 Confidential Reporting Act.

22 (nn) Proprietary information submitted to the  
23 Environmental Protection Agency under the Drug Take-Back  
24 Act.

25 (oo) Records described in subsection (f) of Section  
26 3-5-1 of the Unified Code of Corrections.

1           (pp) Any and all information regarding burials,  
2 interments, or entombments of human remains as required to  
3 be reported to the Department of Natural Resources  
4 pursuant either to the Archaeological and Paleontological  
5 Resources Protection Act or the Human Remains Protection  
6 Act.

7           (qq) Reports described in subsection (e) of Section  
8 16-15 of the Abortion Care Clinical Training Program Act.

9           (rr) Information obtained by a certified local health  
10 department under the Access to Public Health Data Act.

11           (ss) For a request directed to a public body that is  
12 also a HIPAA-covered entity, all information that is  
13 protected health information, including demographic  
14 information, that may be contained within or extracted  
15 from any record held by the public body in compliance with  
16 State and federal medical privacy laws and regulations,  
17 including, but not limited to, the Health Insurance  
18 Portability and Accountability Act and its regulations, 45  
19 CFR Parts 160 and 164. As used in this paragraph,  
20 "HIPAA-covered entity" has the meaning given to the term  
21 "covered entity" in 45 CFR 160.103 and "protected health  
22 information" has the meaning given to that term in 45 CFR  
23 160.103.

24           (tt) Proposals or bids submitted by engineering  
25 consultants in response to requests for proposal or other  
26 competitive bidding requests by the Department of

1           Transportation or the Illinois Toll Highway Authority.

2           (1.5) Any information exempt from disclosure under the  
3           Judicial Privacy Act shall be redacted from public records  
4           prior to disclosure under this Act.

5           (1.6) Any information exempt from disclosure under the  
6           Public Official Safety and Privacy Act shall be redacted from  
7           public records prior to disclosure under this Act.

8           (1.7) Any information exempt from disclosure under  
9           paragraph (3.5) of Section 9-15 of the Election Code shall be  
10           redacted from public records prior to disclosure under this  
11           Act.

12           (2) A public record that is not in the possession of a  
13           public body but is in the possession of a party with whom the  
14           agency has contracted to perform a governmental function on  
15           behalf of the public body, and that directly relates to the  
16           governmental function and is not otherwise exempt under this  
17           Act, shall be considered a public record of the public body,  
18           for purposes of this Act.

19           (3) This Section does not authorize withholding of  
20           information or limit the availability of records to the  
21           public, except as stated in this Section or otherwise provided  
22           in this Act.

23           (Source: P.A. 102-38, eff. 6-25-21; 102-558, eff. 8-20-21;  
24           102-694, eff. 1-7-22; 102-752, eff. 5-6-22; 102-753, eff.  
25           1-1-23; 102-776, eff. 1-1-23; 102-791, eff. 5-13-22; 102-982,  
26           eff. 7-1-23; 102-1055, eff. 6-10-22; 103-154, eff. 6-30-23;

1 103-423, eff. 1-1-24; 103-446, eff. 8-4-23; 103-462, eff.  
2 8-4-23; 103-540, eff. 1-1-24; 103-554, eff. 1-1-24; 103-605,  
3 eff. 7-1-24; 103-865, eff. 1-1-25.)

4 (Text of Section after amendment by P.A. 104-300)

5 Sec. 7. Exemptions.

6 (1) When a request is made to inspect or copy a public  
7 record that contains information that is exempt from  
8 disclosure under this Section, but also contains information  
9 that is not exempt from disclosure, the public body may elect  
10 to redact the information that is exempt. The public body  
11 shall make the remaining information available for inspection  
12 and copying. Subject to this requirement, the following shall  
13 be exempt from inspection and copying:

14 (a) Records created or compiled by a State public  
15 defender agency or commission subject to the State Public  
16 Defender Act that contain: individual client identity;  
17 individual case file information; individual investigation  
18 records and other records that are otherwise subject to  
19 attorney-client privilege; records that would not be  
20 discoverable in litigation; records under Section 2.15;  
21 training materials; records related to attorney  
22 consultation and representation strategy; or any of the  
23 above concerning clients of county public defenders or  
24 other defender agencies and firms. This exclusion does not  
25 apply to deidentified, aggregated, administrative records,

1 such as general case processing and workload information.

2 (a-5) Information specifically prohibited from  
3 disclosure by federal or State law or rules and  
4 regulations implementing federal or State law.

5 (b) Private information, unless disclosure is required  
6 by another provision of this Act, a State or federal law,  
7 or a court order.

8 (b-5) Files, documents, and other data or databases  
9 maintained by one or more law enforcement agencies and  
10 specifically designed to provide information to one or  
11 more law enforcement agencies regarding the physical or  
12 mental status of one or more individual subjects.

13 (c) Personal information contained within public  
14 records, the disclosure of which would constitute a  
15 clearly unwarranted invasion of personal privacy, unless  
16 the disclosure is consented to in writing by the  
17 individual subjects of the information. "Unwarranted  
18 invasion of personal privacy" means the disclosure of  
19 information that is highly personal or objectionable to a  
20 reasonable person and in which the subject's right to  
21 privacy outweighs any legitimate public interest in  
22 obtaining the information. The disclosure of information  
23 that bears on the public duties of public employees and  
24 officials shall not be considered an invasion of personal  
25 privacy.

26 (d) Records in the possession of any public body

1 created in the course of administrative enforcement  
2 proceedings, and any law enforcement or correctional  
3 agency for law enforcement purposes, but only to the  
4 extent that disclosure would:

5 (i) interfere with pending or actually and  
6 reasonably contemplated law enforcement proceedings  
7 conducted by any law enforcement or correctional  
8 agency that is the recipient of the request;

9 (ii) interfere with active administrative  
10 enforcement proceedings conducted by the public body  
11 that is the recipient of the request;

12 (iii) create a substantial likelihood that a  
13 person will be deprived of a fair trial or an impartial  
14 hearing;

15 (iv) unavoidably disclose the identity of a  
16 confidential source, confidential information  
17 furnished only by the confidential source, or persons  
18 who file complaints with or provide information to  
19 administrative, investigative, law enforcement, or  
20 penal agencies; except that the identities of  
21 witnesses to traffic crashes, traffic crash reports,  
22 and rescue reports shall be provided by agencies of  
23 local government, except when disclosure would  
24 interfere with an active criminal investigation  
25 conducted by the agency that is the recipient of the  
26 request;

1 (v) disclose unique or specialized investigative  
2 techniques other than those generally used and known  
3 or disclose internal documents of correctional  
4 agencies related to detection, observation, or  
5 investigation of incidents of crime or misconduct, and  
6 disclosure would result in demonstrable harm to the  
7 agency or public body that is the recipient of the  
8 request;

9 (vi) endanger the life or physical safety of law  
10 enforcement personnel or any other person; or

11 (vii) obstruct an ongoing criminal investigation  
12 by the agency that is the recipient of the request.

13 (d-5) A law enforcement record created for law  
14 enforcement purposes and contained in a shared electronic  
15 record management system if the law enforcement agency  
16 that is the recipient of the request did not create the  
17 record, did not participate in or have a role in any of the  
18 events which are the subject of the record, and only has  
19 access to the record through the shared electronic record  
20 management system.

21 (d-6) Records contained in the Officer Professional  
22 Conduct Database under Section 9.2 of the Illinois Police  
23 Training Act, except to the extent authorized under that  
24 Section. This includes the documents supplied to the  
25 Illinois Law Enforcement Training Standards Board from the  
26 Illinois State Police and Illinois State Police Merit

1 Board.

2 (d-7) Information gathered or records created from the  
3 use of automatic license plate readers in connection with  
4 Section 2-130 of the Illinois Vehicle Code.

5 (e) Records that relate to or affect the security of  
6 correctional institutions and detention facilities.

7 (e-5) Records requested by persons committed to the  
8 Department of Corrections, Department of Human Services  
9 Division of Mental Health, or a county jail if those  
10 materials are available in the library of the correctional  
11 institution or facility or jail where the inmate is  
12 confined.

13 (e-6) Records requested by persons committed to the  
14 Department of Corrections, Department of Human Services  
15 Division of Mental Health, or a county jail if those  
16 materials include records from staff members' personnel  
17 files, staff rosters, or other staffing assignment  
18 information.

19 (e-7) Records requested by persons committed to the  
20 Department of Corrections or Department of Human Services  
21 Division of Mental Health if those materials are available  
22 through an administrative request to the Department of  
23 Corrections or Department of Human Services Division of  
24 Mental Health.

25 (e-8) Records requested by a person committed to the  
26 Department of Corrections, Department of Human Services

1 Division of Mental Health, or a county jail, the  
2 disclosure of which would result in the risk of harm to any  
3 person or the risk of an escape from a jail or correctional  
4 institution or facility.

5 (e-9) Records requested by a person in a county jail  
6 or committed to the Department of Corrections or  
7 Department of Human Services Division of Mental Health,  
8 containing personal information pertaining to the person's  
9 victim or the victim's family, including, but not limited  
10 to, a victim's home address, home telephone number, work  
11 or school address, work telephone number, social security  
12 number, or any other identifying information, except as  
13 may be relevant to a requester's current or potential case  
14 or claim.

15 (e-10) Law enforcement records of other persons  
16 requested by a person committed to the Department of  
17 Corrections, Department of Human Services Division of  
18 Mental Health, or a county jail, including, but not  
19 limited to, arrest and booking records, mug shots, and  
20 crime scene photographs, except as these records may be  
21 relevant to the requester's current or potential case or  
22 claim.

23 (f) Preliminary drafts, notes, recommendations,  
24 memoranda, and other records in which opinions are  
25 expressed, or policies or actions are formulated, except  
26 that a specific record or relevant portion of a record

1 shall not be exempt when the record is publicly cited and  
2 identified by the head of the public body. The exemption  
3 provided in this paragraph (f) extends to all those  
4 records of officers and agencies of the General Assembly  
5 that pertain to the preparation of legislative documents.

6 (g) Trade secrets and commercial or financial  
7 information obtained from a person or business where the  
8 trade secrets or commercial or financial information are  
9 furnished under a claim that they are proprietary,  
10 privileged, or confidential, and that disclosure of the  
11 trade secrets or commercial or financial information would  
12 cause competitive harm to the person or business, and only  
13 insofar as the claim directly applies to the records  
14 requested.

15 The information included under this exemption includes  
16 all trade secrets and commercial or financial information  
17 obtained by a public body, including a public pension  
18 fund, from a private equity fund or a privately held  
19 company within the investment portfolio of a private  
20 equity fund as a result of either investing or evaluating  
21 a potential investment of public funds in a private equity  
22 fund. The exemption contained in this item does not apply  
23 to the aggregate financial performance information of a  
24 private equity fund, nor to the identity of the fund's  
25 managers or general partners. The exemption contained in  
26 this item does not apply to the identity of a privately

1 held company within the investment portfolio of a private  
2 equity fund, unless the disclosure of the identity of a  
3 privately held company may cause competitive harm.

4 Nothing contained in this paragraph (g) shall be  
5 construed to prevent a person or business from consenting  
6 to disclosure.

7 (h) Proposals and bids for any contract, grant, or  
8 agreement, including information which if it were  
9 disclosed would frustrate procurement or give an advantage  
10 to any person proposing to enter into a contractor  
11 agreement with the body, until an award or final selection  
12 is made. Information prepared by or for the body in  
13 preparation of a bid solicitation shall be exempt until an  
14 award or final selection is made.

15 (i) Valuable formulae, computer geographic systems,  
16 designs, drawings, and research data obtained or produced  
17 by any public body when disclosure could reasonably be  
18 expected to produce private gain or public loss. The  
19 exemption for "computer geographic systems" provided in  
20 this paragraph (i) does not extend to requests made by  
21 news media as defined in Section 2 of this Act when the  
22 requested information is not otherwise exempt and the only  
23 purpose of the request is to access and disseminate  
24 information regarding the health, safety, welfare, or  
25 legal rights of the general public.

26 (j) The following information pertaining to

1 educational matters:

2 (i) test questions, scoring keys, and other  
3 examination data used to administer an academic  
4 examination;

5 (ii) information received by a primary or  
6 secondary school, college, or university under its  
7 procedures for the evaluation of faculty members by  
8 their academic peers;

9 (iii) information concerning a school or  
10 university's adjudication of student disciplinary  
11 cases, but only to the extent that disclosure would  
12 unavoidably reveal the identity of the student; and

13 (iv) course materials or research materials used  
14 by faculty members.

15 (k) Architects' plans, engineers' technical  
16 submissions, and other construction related technical  
17 documents for projects not constructed or developed in  
18 whole or in part with public funds and the same for  
19 projects constructed or developed with public funds,  
20 including, but not limited to, power generating and  
21 distribution stations and other transmission and  
22 distribution facilities, water treatment facilities,  
23 airport facilities, sport stadiums, convention centers,  
24 and all government owned, operated, or occupied buildings,  
25 but only to the extent that disclosure would compromise  
26 security.

1           (1) Minutes of meetings of public bodies closed to the  
2 public as provided in the Open Meetings Act until the  
3 public body makes the minutes available to the public  
4 under Section 2.06 of the Open Meetings Act.

5           (m) Communications between a public body and an  
6 attorney or auditor representing the public body that  
7 would not be subject to discovery in litigation, and  
8 materials prepared or compiled by or for a public body in  
9 anticipation of a criminal, civil, or administrative  
10 proceeding upon the request of an attorney advising the  
11 public body, and materials prepared or compiled with  
12 respect to internal audits of public bodies.

13           (n) Records relating to a public body's adjudication  
14 of employee grievances or disciplinary cases; however,  
15 this exemption shall not extend to the final outcome of  
16 cases in which discipline is imposed.

17           (o) Administrative or technical information associated  
18 with automated data processing operations, including, but  
19 not limited to, software, operating protocols, computer  
20 program abstracts, file layouts, source listings, object  
21 modules, load modules, user guides, documentation  
22 pertaining to all logical and physical design of  
23 computerized systems, employee manuals, and any other  
24 information that, if disclosed, would jeopardize the  
25 security of the system or its data or the security of  
26 materials exempt under this Section.

1           (p) Records relating to collective negotiating matters  
2           between public bodies and their employees or  
3           representatives, except that any final contract or  
4           agreement shall be subject to inspection and copying.

5           (q) Test questions, scoring keys, and other  
6           examination data used to determine the qualifications of  
7           an applicant for a license or employment.

8           (r) The records, documents, and information relating  
9           to real estate purchase negotiations until those  
10          negotiations have been completed or otherwise terminated.  
11          With regard to a parcel involved in a pending or actually  
12          and reasonably contemplated eminent domain proceeding  
13          under the Eminent Domain Act, records, documents, and  
14          information relating to that parcel shall be exempt except  
15          as may be allowed under discovery rules adopted by the  
16          Illinois Supreme Court. The records, documents, and  
17          information relating to a real estate sale shall be exempt  
18          until a sale is consummated.

19          (s) Any and all proprietary information and records  
20          related to the operation of an intergovernmental risk  
21          management association or self-insurance pool or jointly  
22          self-administered health and accident cooperative or pool.  
23          Insurance or self-insurance (including any  
24          intergovernmental risk management association or  
25          self-insurance pool) claims, loss or risk management  
26          information, records, data, advice, or communications.

1           (t) Information contained in or related to  
2 examination, operating, or condition reports prepared by,  
3 on behalf of, or for the use of a public body responsible  
4 for the regulation or supervision of financial  
5 institutions, insurance companies, or pharmacy benefit  
6 managers, unless disclosure is otherwise required by State  
7 law.

8           (u) Information that would disclose or might lead to  
9 the disclosure of secret or confidential information,  
10 codes, algorithms, programs, or private keys intended to  
11 be used to create electronic signatures under the Uniform  
12 Electronic Transactions Act.

13           (v) Vulnerability assessments, security measures, and  
14 response policies or plans that are designed to identify,  
15 prevent, or respond to potential attacks upon a  
16 community's population or systems, facilities, or  
17 installations, but only to the extent that disclosure  
18 could reasonably be expected to expose the vulnerability  
19 or jeopardize the effectiveness of the measures, policies,  
20 or plans, or the safety of the personnel who implement  
21 them or the public. Information exempt under this item may  
22 include such things as details pertaining to the  
23 mobilization or deployment of personnel or equipment, to  
24 the operation of communication systems or protocols, to  
25 cybersecurity vulnerabilities, or to tactical operations.

26           (w) (Blank).

1           (x) Maps and other records regarding the location or  
2 security of generation, transmission, distribution,  
3 storage, gathering, treatment, or switching facilities  
4 owned by a utility, by a power generator, or by the  
5 Illinois Power Agency.

6           (y) Information contained in or related to proposals,  
7 bids, or negotiations related to electric power  
8 procurement under Section 1-75 of the Illinois Power  
9 Agency Act and Section 16-111.5 of the Public Utilities  
10 Act that is determined to be confidential and proprietary  
11 by the Illinois Power Agency or by the Illinois Commerce  
12 Commission.

13           (z) Information about students exempted from  
14 disclosure under Section 10-20.38 or 34-18.29 of the  
15 School Code, and information about undergraduate students  
16 enrolled at an institution of higher education exempted  
17 from disclosure under Section 25 of the Illinois Credit  
18 Card Marketing Act of 2009.

19           (aa) Information the disclosure of which is exempted  
20 under the Viatical Settlements Act of 2009.

21           (bb) Records and information provided to a mortality  
22 review team and records maintained by a mortality review  
23 team appointed under the Department of Juvenile Justice  
24 Mortality Review Team Act.

25           (cc) Information regarding interments, entombments, or  
26 inurnments of human remains that are submitted to the

1 Cemetery Oversight Database under the Cemetery Care Act or  
2 the Cemetery Oversight Act, whichever is applicable.

3 (dd) Correspondence and records (i) that may not be  
4 disclosed under Section 11-9 of the Illinois Public Aid  
5 Code or (ii) that pertain to appeals under Section 11-8 of  
6 the Illinois Public Aid Code.

7 (ee) The names, addresses, or other personal  
8 information of persons who are minors and are also  
9 participants and registrants in programs of park  
10 districts, forest preserve districts, conservation  
11 districts, recreation agencies, and special recreation  
12 associations.

13 (ff) The names, addresses, or other personal  
14 information of participants and registrants in programs of  
15 park districts, forest preserve districts, conservation  
16 districts, recreation agencies, and special recreation  
17 associations where such programs are targeted primarily to  
18 minors.

19 (gg) Confidential information described in Section  
20 1-100 of the Illinois Independent Tax Tribunal Act of  
21 2012.

22 (hh) The report submitted to the State Board of  
23 Education by the School Security and Standards Task Force  
24 under item (8) of subsection (d) of Section 2-3.160 of the  
25 School Code and any information contained in that report.

26 (ii) Records requested by persons committed to or

1           detained by the Department of Human Services under the  
2           Sexually Violent Persons Commitment Act or committed to  
3           the Department of Corrections under the Sexually Dangerous  
4           Persons Act if those materials: (i) are available in the  
5           library of the facility where the individual is confined;  
6           (ii) include records from staff members' personnel files,  
7           staff rosters, or other staffing assignment information;  
8           or (iii) are available through an administrative request  
9           to the Department of Human Services or the Department of  
10          Corrections.

11           (jj) Confidential information described in Section  
12          5-535 of the Civil Administrative Code of Illinois.

13           (kk) The public body's credit card numbers, debit card  
14          numbers, bank account numbers, Federal Employer  
15          Identification Number, security code numbers, passwords,  
16          and similar account information, the disclosure of which  
17          could result in identity theft or impression or defrauding  
18          of a governmental entity or a person.

19           (ll) Records concerning the work of the threat  
20          assessment team of a school district, including, but not  
21          limited to, any threat assessment procedure under the  
22          School Safety Drill Act and any information contained in  
23          the procedure.

24           (mm) Information prohibited from being disclosed under  
25          subsections (a) and (b) of Section 15 of the Student  
26          Confidential Reporting Act.

1           (nn) Proprietary information submitted to the  
2 Environmental Protection Agency under the Drug Take-Back  
3 Act.

4           (oo) Records described in subsection (f) of Section  
5 3-5-1 of the Unified Code of Corrections.

6           (pp) Any and all information regarding burials,  
7 interments, or entombments of human remains as required to  
8 be reported to the Department of Natural Resources  
9 pursuant either to the Archaeological and Paleontological  
10 Resources Protection Act or the Human Remains Protection  
11 Act.

12           (qq) Reports described in subsection (e) of Section  
13 16-15 of the Abortion Care Clinical Training Program Act.

14           (rr) Information obtained by a certified local health  
15 department under the Access to Public Health Data Act.

16           (ss) For a request directed to a public body that is  
17 also a HIPAA-covered entity, all information that is  
18 protected health information, including demographic  
19 information, that may be contained within or extracted  
20 from any record held by the public body in compliance with  
21 State and federal medical privacy laws and regulations,  
22 including, but not limited to, the Health Insurance  
23 Portability and Accountability Act and its regulations, 45  
24 CFR Parts 160 and 164. As used in this paragraph,  
25 "HIPAA-covered entity" has the meaning given to the term  
26 "covered entity" in 45 CFR 160.103 and "protected health

1 information" has the meaning given to that term in 45 CFR  
2 160.103.

3 (tt) Proposals or bids submitted by engineering  
4 consultants in response to requests for proposal or other  
5 competitive bidding requests by the Department of  
6 Transportation or the Illinois Toll Highway Authority.

7 (1.5) Any information exempt from disclosure under the  
8 Judicial Privacy Act shall be redacted from public records  
9 prior to disclosure under this Act.

10 (1.6) Any information exempt from disclosure under the  
11 Public Official Safety and Privacy Act shall be redacted from  
12 public records prior to disclosure under this Act.

13 (1.7) Any information exempt from disclosure under  
14 paragraph (3.5) of Section 9-15 of the Election Code shall be  
15 redacted from public records prior to disclosure under this  
16 Act.

17 (2) A public record that is not in the possession of a  
18 public body but is in the possession of a party with whom the  
19 agency has contracted to perform a governmental function on  
20 behalf of the public body, and that directly relates to the  
21 governmental function and is not otherwise exempt under this  
22 Act, shall be considered a public record of the public body,  
23 for purposes of this Act.

24 (3) This Section does not authorize withholding of  
25 information or limit the availability of records to the  
26 public, except as stated in this Section or otherwise provided

1 in this Act.

2 (Source: P.A. 103-154, eff. 6-30-23; 103-423, eff. 1-1-24;  
3 103-446, eff. 8-4-23; 103-462, eff. 8-4-23; 103-540, eff.  
4 1-1-24; 103-554, eff. 1-1-24; 103-605, eff. 7-1-24; 103-865,  
5 eff. 1-1-25; 104-300, eff. 1-1-27.)

6 Section 905. The Election Code is amended by changing  
7 Sections 9-8.10 and 9-15 and by adding Section 10-10.3 as  
8 follows:

9 (10 ILCS 5/9-8.10)

10 Sec. 9-8.10. Use of political committee and other  
11 reporting organization funds.

12 (a) A political committee shall not make expenditures:

13 (1) In violation of any law of the United States or of  
14 this State.

15 (2) Clearly in excess of the fair market value of the  
16 services, materials, facilities, or other things of value  
17 received in exchange.

18 (3) For satisfaction or repayment of any debts other  
19 than loans made to the committee or to the public official  
20 or candidate on behalf of the committee or repayment of  
21 goods and services purchased by the committee under a  
22 credit agreement. Nothing in this Section authorizes the  
23 use of campaign funds to repay personal loans. The  
24 repayments shall be made by check written to the person

1 who made the loan or credit agreement. The terms and  
2 conditions of any loan or credit agreement to a committee  
3 shall be set forth in a written agreement, including but  
4 not limited to the method and amount of repayment, that  
5 shall be executed by the chair or treasurer of the  
6 committee at the time of the loan or credit agreement. The  
7 loan or agreement shall also set forth the rate of  
8 interest for the loan, if any, which may not substantially  
9 exceed the prevailing market interest rate at the time the  
10 agreement is executed.

11 (4) For the satisfaction or repayment of any debts or  
12 for the payment of any expenses relating to a personal  
13 residence. Campaign funds may not be used as collateral  
14 for home mortgages. The provisions of this paragraph do  
15 not apply to expenditures by a political committee for  
16 expenses related to: (i) a public official's or  
17 candidate's personal security services or security  
18 enhancements to a public official's or candidate's primary  
19 residence, including, but not limited to, security  
20 systems, cameras, walls, fences, or other physical  
21 structures, if the security services or security  
22 enhancements are reasonably necessary due to risks arising  
23 from the public official's or candidate's political or  
24 governmental duties; or (ii) cybersecurity measures or  
25 tools used to protect and secure a public official's or  
26 candidate's personal, political, and government devices,

1 Internet networks, or other technology, if the  
2 cybersecurity measures or tools are reasonably necessary  
3 due to risks arising from the public official's or  
4 candidate's political or governmental duties.

5 (5) For clothing or personal laundry expenses, except  
6 clothing items rented by the public official or candidate  
7 for his or her own use exclusively for a specific  
8 campaign-related event, provided that committees may  
9 purchase costumes, novelty items, or other accessories  
10 worn primarily to advertise the candidacy.

11 (6) For the travel expenses of any person unless the  
12 travel is necessary for fulfillment of political,  
13 governmental, or public policy duties, activities, or  
14 purposes.

15 (7) For membership or club dues charged by  
16 organizations, clubs, or facilities that are primarily  
17 engaged in providing health, exercise, or recreational  
18 services; provided, however, that funds received under  
19 this Article may be used to rent the clubs or facilities  
20 for a specific campaign-related event.

21 (8) In payment for anything of value or for  
22 reimbursement of any expenditure for which any person has  
23 been reimbursed by the State or any person. For purposes  
24 of this item (8), a per diem allowance is not a  
25 reimbursement.

26 (9) For the lease or purchase of or installment

1 payment for a motor vehicle unless the political committee  
2 can demonstrate the vehicle will be used primarily for  
3 campaign purposes or for the performance of governmental  
4 duties. Nothing in this paragraph prohibits a political  
5 committee from using political funds to make expenditures  
6 related to vehicles not purchased or leased by a political  
7 committee, provided the expenditure relates to the use of  
8 the vehicle for primarily campaign purposes or the  
9 performance of governmental duties. Persons using vehicles  
10 not purchased or leased by a political committee may be  
11 reimbursed for actual mileage for the use of the vehicle  
12 for campaign purposes or for the performance of  
13 governmental duties. The mileage reimbursements shall be  
14 made at a rate not to exceed the standard mileage rate  
15 method for computation of business expenses under the  
16 Internal Revenue Code.

17 (10) Directly for an individual's tuition or other  
18 educational expenses, except for governmental or political  
19 purposes directly related to a candidate's or public  
20 official's duties and responsibilities.

21 (11) For payments to a public official or candidate or  
22 his or her family member unless for compensation for  
23 services actually rendered by that person. The provisions  
24 of this item (11) do not apply to expenditures by a  
25 political committee for expenses related to providing  
26 childcare for a minor child or care for a dependent family

1 member if the care is reasonably necessary for the public  
2 official or candidate to fulfill political or governmental  
3 duties. The provisions of this item (11) do not apply to  
4 expenditures by a political committee in an aggregate  
5 amount not exceeding the amount of funds reported to and  
6 certified by the State Board or county clerk as available  
7 as of June 30, 1998, in the semi-annual report of  
8 contributions and expenditures filed by the political  
9 committee for the period concluding June 30, 1998.

10 (b) The Board shall have the authority to investigate,  
11 upon receipt of a verified complaint, violations of the  
12 provisions of this Section. The Board may levy a fine on any  
13 person who knowingly makes expenditures in violation of this  
14 Section and on any person who knowingly makes a malicious and  
15 false accusation of a violation of this Section. The Board may  
16 act under this subsection only upon the affirmative vote of at  
17 least 5 of its members. The fine shall not exceed \$500 for each  
18 expenditure of \$500 or less and shall not exceed the amount of  
19 the expenditure plus \$500 for each expenditure greater than  
20 \$500. The Board shall also have the authority to render  
21 rulings and issue opinions relating to compliance with this  
22 Section.

23 (c) Nothing in this Section prohibits the expenditure of  
24 funds of a political committee controlled by an officeholder  
25 or by a candidate to defray the customary and reasonable  
26 expenses of an officeholder in connection with the performance

1 of governmental and public service functions.

2 (d) Nothing in this Section prohibits the funds of a  
3 political committee which is controlled by a person convicted  
4 of a violation of any of the offenses listed in subsection (a)  
5 of Section 10 of the Public Corruption Profit Forfeiture Act  
6 from being forfeited to the State under Section 15 of the  
7 Public Corruption Profit Forfeiture Act.

8 (Source: P.A. 102-15, eff. 6-17-21.)

9 (10 ILCS 5/9-15) (from Ch. 46, par. 9-15)

10 Sec. 9-15. It shall be the duty of the Board:

11 (1) to develop prescribed forms for filing statements  
12 of organization and required reports;

13 (1.5) to develop a standardized form for requesting  
14 the redaction of the home addresses of officers of  
15 political committees in accordance with paragraph (3.5);

16 (2) to prepare, publish, and furnish to the  
17 appropriate persons a manual of instructions setting forth  
18 recommended uniform methods of bookkeeping and reporting  
19 under this Article;

20 (3) to prescribe suitable rules and regulations to  
21 carry out the provisions of this Article. Such rules and  
22 regulations shall be published and made available to the  
23 public;

24 (3.5) to redact the home addresses of all current and  
25 past officers of political committees upon the written

1 request of the supported candidate or the current chair of  
2 the political committee, using the standardized form  
3 developed for that purpose by the Board under paragraph  
4 (1.5);

5 (4) to send by first-class ~~first class~~ mail, after the  
6 general primary election in even numbered years, to the  
7 chair of each regularly constituted State central  
8 committee, county central committee and, in counties with  
9 a population of more than 3,000,000, to the  
10 committeepersons of each township and ward organization of  
11 each political party notice of their obligations under  
12 this Article, along with a form for filing the statement  
13 of organization;

14 (5) to promptly make all reports and statements filed  
15 under this Article available for public inspection and  
16 copying no later than 2 business days after their receipt  
17 and to permit copying of any such report or statement at  
18 the expense of the person requesting the copy, except  
19 that, if the redaction of home addresses of officers of a  
20 political committee has been requested in accordance with  
21 paragraph (3.5), then that information shall be redacted  
22 from a filed statement before that statement is provided  
23 for public inspection or copying;

24 (6) to develop a filing, coding, and cross-indexing  
25 system consistent with the purposes of this Article;

26 (7) to compile and maintain a list of all statements

1 or parts of statements pertaining to each candidate;

2 (8) to prepare and publish such reports as the Board  
3 may deem appropriate;

4 (9) to annually notify each political committee that  
5 has filed a statement of organization with the Board of  
6 the filing dates for each quarterly report, provided that  
7 such notification shall be made by first-class mail unless  
8 the political committee opts to receive notification  
9 electronically via email; and

10 (10) to promptly send, by first-class ~~first-class~~ mail  
11 directed only to the officers of a political committee,  
12 and by certified mail to the address of the political  
13 committee, written notice of any fine or penalty assessed  
14 or imposed against the political committee under this  
15 Article.

16 (Source: P.A. 102-558, eff. 8-20-21.)

17 (10 ILCS 5/10-10.3 new)

18 Sec. 10-10.3. Removal of a public official's address  
19 information from the certificate of nomination or nomination  
20 papers.

21 (a) As used in this Section, "home address" and "public  
22 official" have the meanings given in Section 10 of the Public  
23 Official Safety and Privacy Act.

24 (b) Upon expiration of the period for filing an objection  
25 to a public official's certificate of nomination or nomination

1 papers, a public official who is a candidate may file a written  
2 request with the State Board of Elections, election authority,  
3 or local election official with whom the certificate of  
4 nomination or nomination papers are required to be filed for  
5 redaction of the public official's home address information  
6 from the public official's certificate of nomination or  
7 nomination papers. After receipt of the public official's  
8 written request, the State Board of Elections, election  
9 authority, or local election official with whom the  
10 certificate of nomination or nomination papers are required to  
11 be filed shall redact or cause redaction of the public  
12 official's home address from the public official's certificate  
13 of nomination or nomination papers within 5 business days.

14 (c) Prior to expiration of the period for filing an  
15 objection to a public official's certificate of nomination or  
16 nomination papers, the home address information from the  
17 certificate of nomination or nomination papers of a public  
18 official who is a candidate shall be available for public  
19 inspection. After redaction of a public official's home  
20 address information under subsection (b), the home address  
21 information is available only for in camera inspection by the  
22 court reviewing an objection to the public official's  
23 certificate of nomination or nomination papers.

24 Section 910. The Illinois Identification Card Act is  
25 amended by changing Sections 4 and 5 as follows:

1 (15 ILCS 335/4) (from Ch. 124, par. 24)

2 Sec. 4. Identification card.

3 (a) In accordance with the requirements of this Section,  
4 the Secretary of State shall issue a standard Illinois  
5 Identification Card, as well as a mobile Illinois  
6 Identification Card, to any natural person who is a resident  
7 of the State of Illinois who applies for such a card, or  
8 renewal thereof. No identification card shall be issued to any  
9 person who holds a valid foreign state identification card,  
10 license, or permit unless the person first surrenders to the  
11 Secretary of State the valid foreign state identification  
12 card, license, or permit. The card shall be prepared and  
13 supplied by the Secretary of State and shall include a  
14 photograph and signature or mark of the applicant. However,  
15 the Secretary of State may provide by rule for the issuance of  
16 Illinois Identification Cards without photographs if the  
17 applicant has a bona fide religious objection to being  
18 photographed or to the display of his or her photograph. The  
19 Illinois Identification Card may be used for identification  
20 purposes in any lawful situation only by the person to whom it  
21 was issued. As used in this Act, "photograph" means any color  
22 photograph or digitally produced and captured image of an  
23 applicant for an identification card. As used in this Act,  
24 "signature" means the name of a person as written by that  
25 person and captured in a manner acceptable to the Secretary of

1 State.

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

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

22 (a-15) The Secretary of State may provide for an expedited  
23 process for the issuance of an Illinois Identification Card.  
24 The Secretary shall charge an additional fee for the expedited  
25 issuance of an Illinois Identification Card, to be set by  
26 rule, not to exceed \$75. All fees collected by the Secretary

1 for expedited Illinois Identification Card service shall be  
2 deposited into the Secretary of State Special Services Fund.  
3 The Secretary may adopt rules regarding the eligibility,  
4 process, and fee for an expedited Illinois Identification  
5 Card. If the Secretary of State determines that the volume of  
6 expedited identification card requests received on a given day  
7 exceeds the ability of the Secretary to process those requests  
8 in an expedited manner, the Secretary may decline to provide  
9 expedited services, and the additional fee for the expedited  
10 service shall be refunded to the applicant.

11 (a-20) The Secretary of State shall issue a standard  
12 Illinois Identification Card to a person committed to the  
13 Department of Corrections, the Department of Juvenile Justice,  
14 a Federal Bureau of Prisons facility located in Illinois, or a  
15 county jail or county department of corrections as follows: ~~if~~  
16 ~~the person has a social security number,~~

17 (1) A committed person who has previously held an  
18 Illinois Identification Card or an Illinois driver's  
19 license shall submit an Identification Card verification  
20 form to the Secretary of State, including a photograph  
21 taken by the correctional facility, proof of residency  
22 upon discharge, and a social security number, if the  
23 committed person has a social security number. If the  
24 committed person does not have a social security number  
25 and is eligible for a social security number, the  
26 Secretary of State shall not issue a standard Illinois

1 Identification Card until the committed person obtains a  
2 social security number. If the committed person's  
3 photograph and demographic information matches an existing  
4 Illinois Identification Card or Illinois driver's license  
5 and the Secretary of State verifies the applicant's social  
6 security number with the Social Security Administration,  
7 the Secretary of State shall issue the committed person a  
8 standard Illinois Identification Card. If the photograph  
9 or demographic information matches an existing Illinois  
10 Identification Card or Illinois driver's license in  
11 another person's name or identity, a standard Illinois  
12 Identification Card shall not be issued until the  
13 committed person submits a certified birth certificate and  
14 social security card to the Secretary of State and the  
15 Secretary of State verifies the identity of the committed  
16 person. If the Secretary of State cannot find a match to an  
17 existing Illinois Identification Card or Illinois driver's  
18 license, the committed person may apply for a standard  
19 Illinois Identification card as described in paragraph  
20 (2).

21 (2) A committed person who has not previously held an  
22 Illinois Identification Card or Illinois driver's license  
23 or for whom a match cannot be found as described in  
24 paragraph (1) shall submit an Illinois Identification Card  
25 verification form, including a photograph taken by the  
26 correctional facility, a certified birth certificate,

1 proof of residency upon discharge, and a social security  
2 number, if the committed has a social security number. If  
3 the committed person does not have a social security  
4 number and is eligible for a social security number, the  
5 Secretary of State shall not issue a standard Illinois  
6 Identification Card until the committed person obtains a  
7 social security number. If the Secretary of State verifies  
8 the applicant's social security number with the Social  
9 Security Administration, the Secretary of State shall  
10 issue the committed person a standard Illinois  
11 Identification Card.

12 The Illinois Identification Card verification form  
13 described in this subsection shall be prescribed by the  
14 Secretary of State. The Secretary of State and correctional  
15 facilities in this State shall establish a secure method to  
16 transfer the form.

17 (a-25) The Secretary of State shall issue a limited-term  
18 Illinois Identification Card valid for 90 days to a committed  
19 person upon release on parole, mandatory supervised release,  
20 aftercare release, final discharge, or pardon from the  
21 Department of Corrections, the Department of Juvenile Justice,  
22 a Federal Bureau of Prisons facility located in Illinois, or a  
23 county jail or county department of corrections, if the  
24 released person does not obtain a standard Illinois  
25 Identification Card as described in subsection (a-20) prior to  
26 release but does present a Secretary of State prescribed

1 Identification Card verification form completed by the  
2 correctional facility, verifying the released person's date of  
3 birth, social security number, if the person has a social  
4 security number, and his or her Illinois residence address.  
5 The verification form must have been completed no more than 30  
6 days prior to the date of application for the Illinois  
7 Identification Card.

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

16 This subsection shall not apply to a released person who  
17 was unable to obtain a standard Illinois Identification Card  
18 because his or her photograph or demographic information  
19 matched an existing Illinois Identification Card or Illinois  
20 driver's license in another person's name or identity or to a  
21 released person who does not have a social security number and  
22 is eligible for a social security number.

23 (a-30) The Secretary of State shall issue a standard  
24 Illinois Identification Card to a person upon conditional  
25 release or absolute discharge from the custody of the  
26 Department of Human Services, if the person presents a

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

14 (a-35) The Secretary of State shall issue a limited-term  
15 Illinois Identification Card valid for 90 days to a person  
16 upon conditional release or absolute discharge from the  
17 custody of the Department of Human Services, if the person is  
18 unable to present a certified copy of his or her birth  
19 certificate and social security card, if the person has a  
20 social security number, or other documents authorized by the  
21 Secretary, but does present a Secretary of State prescribed  
22 verification form completed by the Department of Human  
23 Services, verifying the person's date of birth and social  
24 security number, if the person has a social security number,  
25 and a document proving his or her Illinois residence address.  
26 The verification form must have been completed no more than 30

1 days prior to the date of application for the Illinois  
2 Identification Card. The Secretary of State shall issue a  
3 limited-term Illinois Identification Card to a person no  
4 sooner than 14 days prior to his or her conditional release or  
5 absolute discharge if personnel from the Department of Human  
6 Services bring the person to a Secretary of State location  
7 with the required documents. Documents proving residence  
8 address shall include any official document of the Department  
9 of Human Services showing the person's address after release  
10 and a Secretary of State prescribed verification form, which  
11 may be executed by personnel of the Department of Human  
12 Services.

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

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

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

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

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

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

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

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

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

12 (c-3) The General Assembly recognizes the need to identify  
13 military veterans living in this State for the purpose of  
14 ensuring that they receive all of the services and benefits to  
15 which they are legally entitled, including healthcare,  
16 education assistance, and job placement. To assist the State  
17 in identifying these veterans and delivering these vital  
18 services and benefits, the Secretary of State is authorized to  
19 issue Illinois Identification Cards and Illinois Person with a  
20 Disability Identification Cards with the word "veteran"  
21 appearing on the face of the cards. This authorization is  
22 predicated on the unique status of veterans. The Secretary may  
23 not issue any other identification card which identifies an  
24 occupation, status, affiliation, hobby, or other unique  
25 characteristics of the identification card holder which is  
26 unrelated to the purpose of the identification card.

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

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

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

1           (f)(1) The Secretary of State may issue a mobile  
2 identification card to an individual who is otherwise eligible  
3 to hold a physical credential in addition to, and not instead  
4 of, an identification card if the Secretary of State has  
5 issued an identification card to the person. The data elements  
6 that are used to build an electronic credential must match the  
7 individual's current Department record.

8           (2) The Secretary may enter into agreements or contract  
9 with an agency of the State, another state, the United States,  
10 or a third party to facilitate the issuance, use, and  
11 verification of a mobile identification card issued by the  
12 Secretary or another state.

13           (3) Any mobile identification card issued by the Secretary  
14 shall be in accordance with the most recent AAMVA standards.

15           (4) The Secretary shall design the mobile identification  
16 card in a manner that allows the credential holder to maintain  
17 physical possession of the device on which the mobile  
18 identification card is accessed during verification.

19           (g) The verification process shall be implemented to  
20 require:

21               (1) the relying parties to authenticate electronic  
22 credentials in accordance with applicable AAMVA standards  
23 prior to acceptance of the electronic credential;

24               (2) the Secretary to ensure that electronic credential  
25 data is subject to all jurisdictional data security and  
26 privacy protection laws and regulations; and

1           (3) the relying parties to request only electronic  
2           credential data elements that are necessary to complete  
3           the transaction for which data is being requested.

4           (h) Privacy and tracking of data shall be restricted by  
5           implementing the following requirements:

6           (1) the relying parties shall retain only electronic  
7           credential data elements for which the relying party  
8           explicitly obtained consent from the electronic credential  
9           holder and shall inform the electronic credential holder  
10          of the use and retention period of the electronic data  
11          elements;

12          (2) the Secretary shall use an electronic credential  
13          system that is designed to maximize the privacy of the  
14          credential holder in accordance with State and federal law  
15          and shall not track or compile information without the  
16          credential holder's consent; and

17          (3) the Department shall only compile and disclose  
18          information regarding the use of the credential as  
19          required by State or federal law.

20          (i)(1) The electronic credential holder shall be required  
21          to have the holder's ~~their~~ physical credential on the holder's  
22          ~~their~~ person for all purposes for which an identification card  
23          is required. No person, public entity, private entity, or  
24          agency shall establish a policy that requires an electronic  
25          credential instead of a physical credential.

26          (2) Electronic credential systems shall be designed so

1 that there is no requirement for the electronic credential  
2 holder to display or relinquish possession of the credential  
3 holder's mobile device to relying parties for the acceptance  
4 of an electronic credential.

5 (3) When required by law and upon request by law  
6 enforcement, a credential holder must provide the credential  
7 holder's physical credential.

8 (4) Any law or regulation that requires an individual to  
9 surrender the individual's ~~their~~ physical credential to law  
10 enforcement does not apply to the device on which an  
11 electronic credential has been provisioned.

12 (j) A person may be required to produce when so requested a  
13 physical identification card to a law enforcement officer, a  
14 representative of a State or federal department or agency, or  
15 a private entity and is subject to all applicable laws and  
16 consequences for failure to produce such an identification  
17 card.

18 (k) The Secretary of State shall adopt such rules as are  
19 necessary to implement a mobile identification card.

20 (l) The display of a mobile identification card shall not  
21 serve as consent or authorization for a law enforcement  
22 officer, or any other person, to search, view, or access any  
23 other data or application on the mobile device. If a person  
24 presents the person's mobile device to a law enforcement  
25 officer for purposes of displaying a mobile identification  
26 card, the law enforcement officer shall promptly return the

1 mobile device to the person once the officer has had an  
2 opportunity to verify the identity of the person. Except for  
3 willful and wanton misconduct, any law enforcement officer,  
4 court, or officer of the court presented with the device shall  
5 be immune from any liability resulting from damage to the  
6 mobile device.

7 (m) The fee to install the application to display a mobile  
8 identification card as defined in this subsection shall not  
9 exceed \$6.

10 (n) As used in this Section:

11 "AAMVA" means the American Association of Motor Vehicle  
12 Administrators.

13 "Credential" means a driver's license, learner's permit,  
14 or identification card.

15 "Credential holder" means the individual to whom a mobile  
16 driver's license or a mobile identification card is issued.

17 "Data element" means a distinct component of a customer's  
18 information that is found on the Department's customer record.

19 "Department" means the Secretary of State Department of  
20 Driver Services.

21 "Electronic credential" means an electronic extension of  
22 the departmental issued physical credential that conveys  
23 identity and complies with AAMVA's mobile driver license  
24 Implementation guidelines and the ISO/IEC 18013-5 standard.

25 "Electronic credential system" means a digital process  
26 that includes a method for provisioning electronic

1 credentials, requesting and transmitting electronic credential  
2 data elements, and performing tasks to maintain the system.

3 "Full profile" means all the information provided on an  
4 identification card.

5 "ISO" means the International Organization for  
6 Standardization, which creates uniform processes and  
7 procedures.

8 "Limited profile" means a portion of the information  
9 provided on an Identification Card.

10 "Mobile identification card" means a data file that is  
11 available on any mobile device that has connectivity to the  
12 Internet through an application that allows the mobile device  
13 to download the data file from the Secretary of State, that  
14 contains all the data elements visible on the face and back of  
15 an identification card, and that displays the current status  
16 of the identification card. "Mobile identification card" does  
17 not include a copy, photograph, or image of an Illinois  
18 Identification Card that is not downloaded through the  
19 application on a mobile device.

20 "Physical credential" means a Department-issued ~~Department~~  
21 ~~issued~~ document that conveys identity in accordance with the  
22 Illinois Identification Card Act.

23 "Provision" means the initial loading of an electronic  
24 credential onto a device.

25 "Relying party" means the entity to which the credential  
26 holder presents the electronic credential.

1 "Verification process" means a method of authenticating  
2 the electronic credential through the use of secured  
3 encryption communication.

4 (o) ~~(f)~~ Upon providing the required documentation, at the  
5 request of the applicant, the identification card may reflect  
6 Gold Star Family designation. The Secretary shall designate a  
7 space on each original or renewal of an identification card  
8 for such designation. This designation shall be available to a  
9 person eligible for Gold Star license plates under subsection  
10 (f) of Section 6-106 of the Illinois Vehicle Code.

11 (Source: P.A. 102-299, eff. 8-6-21; 103-210, eff. 7-1-24;  
12 103-345, eff. 1-1-24; 103-605, eff. 7-1-24; 103-782, eff.  
13 8-6-24; 103-824, eff. 1-1-25; 103-933, eff. 1-1-25; revised  
14 11-26-24.)

15 (15 ILCS 335/5)

16 Sec. 5. Applications.

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

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

1     forth in Section 4A of this Act. For the purposes of this  
2     subsection (a), "peace officer" means any person who by virtue  
3     of his or her office or public employment is vested by law with  
4     a duty to maintain public order or to make arrests for a  
5     violation of any penal statute of this State, whether that  
6     duty extends to all violations or is limited to specific  
7     violations.

8           (a-5) Upon the first issuance of a request for proposals  
9     for a digital driver's license and identification card  
10    issuance and facial recognition system issued after January 1,  
11    2020 (the effective date of Public Act 101-513), and upon  
12    implementation of a new or revised system procured pursuant to  
13    that request for proposals, the Secretary shall permit  
14    applicants to choose between "male", "female", or "non-binary"  
15    when designating the applicant's sex on the identification  
16    card application form. The sex designated by the applicant  
17    shall be displayed on the identification card issued to the  
18    applicant.

19           (b) Beginning on or before July 1, 2015, for each original  
20    or renewal identification card application under this Act, the  
21    Secretary shall inquire as to whether the applicant is a  
22    veteran for purposes of issuing an identification card with a  
23    veteran designation under subsection (c-5) of Section 4 of  
24    this Act. The acceptable forms of proof shall include, but are  
25    not limited to, Department of Defense form DD-214, Department  
26    of Defense form DD-256 for applicants who did not receive a

1 form DD-214 upon the completion of initial basic training,  
2 Department of Defense form DD-2 (Retired), an identification  
3 card issued under the federal Veterans Identification Card Act  
4 of 2015, or a United States Department of Veterans Affairs  
5 summary of benefits letter. If the document cannot be stamped,  
6 the Illinois Department of Veterans' Affairs shall provide a  
7 certificate to the veteran to provide to the Secretary of  
8 State. The Illinois Department of Veterans' Affairs shall  
9 advise the Secretary as to what other forms of proof of a  
10 person's status as a veteran are acceptable.

11 For each applicant who is issued an identification card  
12 with a veteran designation, the Secretary shall provide the  
13 Department of Veterans' Affairs with the applicant's name,  
14 address, date of birth, gender, and such other demographic  
15 information as agreed to by the Secretary and the Department.  
16 The Department may take steps necessary to confirm the  
17 applicant is a veteran. If after due diligence, including  
18 writing to the applicant at the address provided by the  
19 Secretary, the Department is unable to verify the applicant's  
20 veteran status, the Department shall inform the Secretary, who  
21 shall notify the applicant that he or she must confirm status  
22 as a veteran, or the identification card will be canceled  
23 ~~cancelled~~.

24 For purposes of this subsection (b):

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

1 National Guard unit.

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

5 (b-1) An applicant who is eligible for Gold Star license  
6 plates under Section 3-664 of the Illinois Vehicle Code may  
7 apply for an identification card with space for a designation  
8 as a Gold Star Family. The Secretary may waive any fee for this  
9 application. If the Secretary does not waive the fee, any fee  
10 charged to the applicant must be deposited into the Illinois  
11 Veterans Assistance Fund. The Secretary is authorized to issue  
12 rules to implement this subsection.

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

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

1 identification document validly issued to the applicant by a  
2 consulate of that country as defined in Section 5 of the  
3 Consular Identification Document Act. Any such documents must  
4 be either unexpired or presented by an applicant within 2  
5 years of its expiration date.

6 (Source: P.A. 102-558, eff. 8-20-21; 103-210, eff. 7-1-24;  
7 103-888, eff. 8-9-24; 103-933, eff. 1-1-25; revised 12-1-24.)

8 Section 915. The Illinois Vehicle Code is amended by  
9 changing Sections 3-405, 6-106, and 6-110 as follows:

10 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

11 Sec. 3-405. Application for registration.

12 (a) Every owner of a vehicle subject to registration under  
13 this Code shall make application to the Secretary of State for  
14 the registration of such vehicle upon the appropriate form or  
15 forms furnished by the Secretary. Every such original  
16 application shall bear the signature of the owner written with  
17 pen and ink and contain:

18 1. The name, domicile address, as defined in Section  
19 1-115.5 of this Code, (except as otherwise provided in  
20 this paragraph 1), mail address of the owner or business  
21 address of the owner if a firm, association, or  
22 corporation, and, if available, email address of the  
23 owner. If the mailing address is a post office box number,  
24 the address listed on the driver license record may be

1 used to verify residence. A police officer, a deputy  
2 sheriff, an elected sheriff, a law enforcement officer for  
3 the Illinois State Police, a fire investigator, a state's  
4 attorney, an assistant state's attorney, a state's  
5 attorney special investigator, ~~or~~ a judicial officer, or a  
6 public official may elect to furnish the address of the  
7 headquarters of the governmental entity, police district,  
8 or business address where he or she works instead of his or  
9 her domicile address, in which case that address shall be  
10 deemed to be his or her domicile address for all purposes  
11 under this Chapter 3. The spouse and children of a person  
12 who may elect under this paragraph 1 to furnish the  
13 address of the headquarters of the government entity,  
14 police district, or business address where the person  
15 works instead of the person's domicile address may, if  
16 they reside with that person, also elect to furnish the  
17 address of the headquarters of the government entity,  
18 police district, or business address where the person  
19 works as their domicile address, in which case that  
20 address shall be deemed to be their domicile address for  
21 all purposes under this Chapter 3. In this paragraph 1:  
22 (A) "police officer" has the meaning ascribed to  
23 "policeman" in Section 10-3-1 of the Illinois Municipal  
24 Code; (B) "deputy sheriff" means a deputy sheriff  
25 appointed under Section 3-6008 of the Counties Code; (C)  
26 "elected sheriff" means a sheriff commissioned pursuant to

1 Section 3-6001 of the Counties Code; (D) "fire  
2 investigator" means a person classified as a peace officer  
3 under the Peace Officer Fire Investigation Act; (E)  
4 "state's attorney", "assistant state's attorney", and  
5 "state's attorney special investigator" mean a state's  
6 attorney, assistant state's attorney, and state's attorney  
7 special investigator commissioned or appointed under  
8 Division 3-9 of the Counties Code; ~~and~~ (F) "judicial  
9 officer" has the meaning ascribed to it in Section 1-10 of  
10 the Judicial Privacy Act; and (G) "public official" has  
11 the meaning given in Section 10 of the Public Official  
12 Safety and Privacy Act.

13 2. A description of the vehicle, including such  
14 information as is required in an application for a  
15 certificate of title, determined under such standard  
16 rating as may be prescribed by the Secretary.

17 3. (Blank).

18 3.5. A space for a voluntary disclosure of a condition  
19 that impedes effective communication under Section  
20 3-405.5.

21 4. Such further information as may reasonably be  
22 required by the Secretary to enable him to determine  
23 whether the vehicle is lawfully entitled to registration  
24 and the owner entitled to a certificate of title.

25 5. An affirmation by the applicant that all  
26 information set forth is true and correct. If the

1 application is for the registration of a motor vehicle,  
2 the applicant also shall affirm that the motor vehicle is  
3 insured as required by this Code, that such insurance will  
4 be maintained throughout the period for which the motor  
5 vehicle shall be registered, and that neither the owner,  
6 nor any person operating the motor vehicle with the  
7 owner's permission, shall operate the motor vehicle unless  
8 the required insurance is in effect. If the person signing  
9 the affirmation is not the sole owner of the vehicle, such  
10 person shall be deemed to have affirmed on behalf of all  
11 the owners of the vehicle. If the person signing the  
12 affirmation is not an owner of the vehicle, such person  
13 shall be deemed to have affirmed on behalf of the owner or  
14 owners of the vehicle. The lack of signature on the  
15 application shall not in any manner exempt the owner or  
16 owners from any provisions, requirements or penalties of  
17 this Code.

18 (b) When such application refers to a new vehicle  
19 purchased from a dealer the application shall be accompanied  
20 by a Manufacturer's Statement of Origin from the dealer, and a  
21 statement showing any lien retained by the dealer.

22 (Source: P.A. 102-538, eff. 8-20-21; 102-1069, eff. 7-1-23.)

23 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

25 (a) Every application for any permit or license authorized

1 to be issued under this Code shall be made upon a form  
2 furnished by the Secretary of State. Every application shall  
3 be accompanied by the proper fee and payment of such fee shall  
4 entitle the applicant to not more than 3 attempts to pass the  
5 examination within a period of one year after the date of  
6 application.

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

1 for a drivers license or permit may include a suitable  
2 photograph of the applicant in the form prescribed by the  
3 Secretary, and he may further provide that each drivers  
4 license shall include a photograph of the driver. The  
5 Secretary of State may utilize a photograph process or system  
6 most suitable to deter alteration or improper reproduction of  
7 a drivers license and to prevent substitution of another photo  
8 thereon. For the purposes of this subsection (b) ; ~~τ~~

9 "Peace ~~peace~~ officer" means any person who by virtue of  
10 his or her office or public employment is vested by law with a  
11 duty to maintain public order or to make arrests for a  
12 violation of any penal statute of this State, whether that  
13 duty extends to all violations or is limited to specific  
14 violations.

15 "Public official" has the meaning given in Section 10 of  
16 the Public Official Safety and Privacy Act.

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

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

26 (2) if the applicant does not have documentation

1 described in paragraph (1), the applicant shall provide,  
2 instead of a social security number, the following:

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

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

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

16 (b-3) Upon the first issuance of a request for proposals  
17 for a digital driver's license and identification card  
18 issuance and facial recognition system issued after January 1,  
19 2020 (the effective date of Public Act 101-513), and upon  
20 implementation of a new or revised system procured pursuant to  
21 that request for proposals, the Secretary shall permit  
22 applicants to choose between "male", "female" or "non-binary"  
23 when designating the applicant's sex on the driver's license  
24 application form. The sex designated by the applicant shall be  
25 displayed on the driver's license issued to the applicant.

26 (b-5) Every applicant for a REAL ID compliant driver's

1 license or permit shall provide proof of lawful status in the  
2 United States as defined in 6 CFR 37.3, as amended.

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

10 (d) Any male United States citizen or immigrant who  
11 applies for any permit or license authorized to be issued  
12 under this Code or for a renewal of any permit or license, and  
13 who is at least 18 years of age but less than 26 years of age,  
14 must be registered in compliance with the requirements of the  
15 federal Military Selective Service Act. The Secretary of State  
16 must forward in an electronic format the necessary personal  
17 information regarding the applicants identified in this  
18 subsection (d) to the Selective Service System. The  
19 applicant's signature on the application serves as an  
20 indication that the applicant either has already registered  
21 with the Selective Service System or that he is authorizing  
22 the Secretary to forward to the Selective Service System the  
23 necessary information for registration. The Secretary must  
24 notify the applicant at the time of application that his  
25 signature constitutes consent to registration with the  
26 Selective Service System, if he is not already registered.

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

20 For each applicant who is issued a driver's license with a  
21 veteran designation, the Secretary shall provide the  
22 Department of Veterans Affairs with the applicant's name,  
23 address, date of birth, gender and such other demographic  
24 information as agreed to by the Secretary and the Department.  
25 The Department may take steps necessary to confirm the  
26 applicant is a veteran. If after due diligence, including

1 writing to the applicant at the address provided by the  
2 Secretary, the Department is unable to verify the applicant's  
3 veteran status, the Department shall inform the Secretary, who  
4 shall notify the applicant that he or she must confirm status  
5 as a veteran, or the driver's license will be canceled  
6 ~~cancelled~~.

7 For purposes of this subsection (e):

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

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

14 (f) An applicant who is eligible for Gold Star license  
15 plates under Section 3-664 of this Code may apply for an  
16 original or renewal driver's license with space for a  
17 designation as a Gold Star Family. The Secretary may waive any  
18 fee for this application. If the Secretary does not waive the  
19 fee, any fee charged to the applicant must be deposited into  
20 the Illinois Veterans Assistance Fund. The Secretary is  
21 authorized to issue rules to implement this subsection.

22 (Source: P.A. 103-210, eff. 7-1-24; 103-933, eff. 1-1-25;  
23 104-234, eff. 8-15-25.)

24 (625 ILCS 5/6-110)

25 Sec. 6-110. Licenses issued to drivers.

1           (a) The Secretary of State shall issue to every qualifying  
2 applicant a driver's license as applied for, which license  
3 shall bear a distinguishing number assigned to the licensee,  
4 the legal name, signature, zip code, date of birth, residence  
5 address, and a brief description of the licensee.

6           Licenses issued shall also indicate the classification and  
7 the restrictions under Section 6-104 of this Code. The  
8 Secretary may adopt rules to establish informational  
9 restrictions that can be placed on the driver's license  
10 regarding specific conditions of the licensee.

11           A driver's license issued may, in the discretion of the  
12 Secretary, include a suitable photograph of a type prescribed  
13 by the Secretary.

14           (a-1) If the licensee is less than 18 years of age, unless  
15 one of the exceptions in subsection (a-2) apply, the license  
16 shall, as a matter of law, be invalid for the operation of any  
17 motor vehicle during the following times:

18                   (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

19                   (B) Between 11:00 p.m. Saturday and 6:00 a.m. on  
20 Sunday; and

21                   (C) Between 10:00 p.m. on Sunday to Thursday,  
22 inclusive, and 6:00 a.m. on the following day.

23           (a-2) The driver's license of a person under the age of 18  
24 shall not be invalid as described in subsection (a-1) of this  
25 Section if the licensee under the age of 18 was:

26                   (1) accompanied by the licensee's parent or guardian

1 or other person in custody or control of the minor;

2 (2) on an errand at the direction of the minor's  
3 parent or guardian, without any detour or stop;

4 (3) in a motor vehicle involved in interstate travel;

5 (4) going to or returning home from an employment  
6 activity, without any detour or stop;

7 (5) involved in an emergency;

8 (6) going to or returning home from, without any  
9 detour or stop, an official school, religious, or other  
10 recreational activity supervised by adults and sponsored  
11 by a government or governmental agency, a civic  
12 organization, or another similar entity that takes  
13 responsibility for the licensee, without any detour or  
14 stop;

15 (7) exercising First Amendment rights protected by the  
16 United States Constitution, such as the free exercise of  
17 religion, freedom of speech, and the right of assembly; or

18 (8) married or had been married or is an emancipated  
19 minor under the Emancipation of Minors Act.

20 (a-2.5) The driver's license of a person who is 17 years of  
21 age and has been licensed for at least 12 months is not invalid  
22 as described in subsection (a-1) of this Section while the  
23 licensee is participating as an assigned driver in a Safe  
24 Rides program that meets the following criteria:

25 (1) the program is sponsored by the Boy Scouts of  
26 America or another national public service organization;

1           and

2                   (2) the sponsoring organization carries liability  
3 insurance covering the program.

4           (a-3) If a graduated driver's license holder over the age  
5 of 18 committed an offense against traffic regulations  
6 governing the movement of vehicles or any violation of Section  
7 6-107 or Section 12-603.1 of this Code in the 6 months prior to  
8 the graduated driver's license holder's 18th birthday, and was  
9 subsequently convicted of the offense, the provisions of  
10 subsection (a-1) shall continue to apply until such time as a  
11 period of 6 consecutive months has elapsed without an  
12 additional violation and subsequent conviction of an offense  
13 against traffic regulations governing the movement of vehicles  
14 or Section 6-107 or Section 12-603.1 of this Code.

15           (a-4) If an applicant for a driver's license or  
16 instruction permit has a current identification card issued by  
17 the Secretary of State, the Secretary may require the  
18 applicant to utilize the same residence address and name on  
19 the identification card, driver's license, and instruction  
20 permit records maintained by the Secretary. The Secretary may  
21 promulgate rules to implement this provision.

22           (a-5) If an applicant for a driver's license is an  
23 employee of the Department of Children and Family Services  
24 with a job title of "Child Protection Specialist Trainee",  
25 "Child Protection Specialist", "Child Protection Advanced  
26 Specialist", "Child Welfare Specialist Trainee", "Child

1 Welfare Specialist", or "Child Welfare Advanced Specialist" or  
2 a judicial officer, public official, or a peace officer, the  
3 applicant may elect to have his or her office or work address  
4 listed on the license instead of the applicant's residence or  
5 mailing address. The Secretary of State shall adopt rules to  
6 implement this subsection (a-5).

7 As used in ~~For the purposes of~~ this subsection (a-5): 7

8 "Peace ~~peace~~ officer" means any person who by virtue of  
9 his or her office or public employment is vested by law with a  
10 duty to maintain public order or to make arrests for a  
11 violation of any penal statute of this State, whether that  
12 duty extends to all violations or is limited to specific  
13 violations.

14 "Public official" has the meaning given in Section 10 of  
15 the Public Official Safety and Privacy Act.

16 (b) Until the Secretary of State establishes a First  
17 Person Consent organ and tissue donor registry under Section  
18 6-117 of this Code, the Secretary of State shall provide a  
19 format on the reverse of each driver's license issued which  
20 the licensee may use to execute a document of gift conforming  
21 to the provisions of the Illinois Anatomical Gift Act. The  
22 format shall allow the licensee to indicate the gift intended,  
23 whether specific organs, any organ, or the entire body, and  
24 shall accommodate the signatures of the donor and 2 witnesses.  
25 The Secretary shall also inform each applicant or licensee of  
26 this format, describe the procedure for its execution, and may

1 offer the necessary witnesses; provided that in so doing, the  
2 Secretary shall advise the applicant or licensee that he or  
3 she is under no compulsion to execute a document of gift. A  
4 brochure explaining this method of executing an anatomical  
5 gift document shall be given to each applicant or licensee.  
6 The brochure shall advise the applicant or licensee that he or  
7 she is under no compulsion to execute a document of gift, and  
8 that he or she may wish to consult with family, friends, or  
9 clergy before doing so. The Secretary of State may undertake  
10 additional efforts, including education and awareness  
11 activities, to promote organ and tissue donation.

12 (c) The Secretary of State shall designate on each  
13 driver's license issued a space where the licensee may place a  
14 sticker or decal of the uniform size as the Secretary may  
15 specify, which sticker or decal may indicate in appropriate  
16 language that the owner of the license carries an Emergency  
17 Medical Information Card.

18 The sticker may be provided by any person, hospital,  
19 school, medical group, or association interested in assisting  
20 in implementing the Emergency Medical Information Card, but  
21 shall meet the specifications as the Secretary may by rule or  
22 regulation require.

23 (d) The Secretary of State shall designate on each  
24 driver's license issued a space where the licensee may  
25 indicate his blood type and RH factor.

26 (e) The Secretary of State shall provide that each

1 original or renewal driver's license issued to a licensee  
2 under 21 years of age shall be of a distinct nature from those  
3 driver's licenses issued to individuals 21 years of age and  
4 older. The color designated for driver's licenses for  
5 licensees under 21 years of age shall be at the discretion of  
6 the Secretary of State.

7 (e-1) The Secretary shall provide that each driver's  
8 license issued to a person under the age of 21 displays the  
9 date upon which the person becomes 18 years of age and the date  
10 upon which the person becomes 21 years of age.

11 (e-3) The General Assembly recognizes the need to identify  
12 military veterans living in this State for the purpose of  
13 ensuring that they receive all of the services and benefits to  
14 which they are legally entitled, including health care  
15 ~~healthcare~~, education assistance, and job placement. To assist  
16 the State in identifying these veterans and delivering these  
17 vital services and benefits, the Secretary of State is  
18 authorized to issue drivers' licenses with the word "veteran"  
19 appearing on the face of the licenses. This authorization is  
20 predicated on the unique status of veterans. The Secretary may  
21 not issue any other driver's license which identifies an  
22 occupation, status, affiliation, hobby, or other unique  
23 characteristics of the license holder which is unrelated to  
24 the purpose of the driver's license.

25 (e-5) Beginning on or before July 1, 2015, the Secretary  
26 of State shall designate a space on each original or renewal

1 driver's license where, at the request of the applicant, the  
2 word "veteran" shall be placed. The veteran designation shall  
3 be available to a person identified as a veteran under  
4 subsection (e) of Section 6-106 of this Code who was  
5 discharged or separated under honorable conditions.

6 (e-7) Upon providing the required documentation, at the  
7 request of the applicant, the driver's license may reflect  
8 Gold Star Family designation. The Secretary shall designate a  
9 space on each original or renewal driver's license for such  
10 designation. This designation shall be available to a person  
11 eligible for Gold Star license plates under subsection (f) of  
12 Section 6-106 of this Code.

13 (f) The Secretary of State shall inform all Illinois  
14 licensed commercial motor vehicle operators of the  
15 requirements of the Uniform Commercial Driver License Act,  
16 Article V of this Chapter, and shall make provisions to insure  
17 that all drivers, seeking to obtain a commercial driver's  
18 license, be afforded an opportunity prior to April 1, 1992, to  
19 obtain the license. The Secretary is authorized to extend  
20 driver's license expiration dates, and assign specific times,  
21 dates and locations where these commercial driver's tests  
22 shall be conducted. Any applicant, regardless of the current  
23 expiration date of the applicant's driver's license, may be  
24 subject to any assignment by the Secretary. Failure to comply  
25 with the Secretary's assignment may result in the applicant's  
26 forfeiture of an opportunity to receive a commercial driver's

1 license prior to April 1, 1992.

2 (g) The Secretary of State shall designate on a driver's  
3 license issued, a space where the licensee may indicate that  
4 he or she has drafted a living will in accordance with the  
5 Illinois Living Will Act or a durable power of attorney for  
6 health care in accordance with the Illinois Power of Attorney  
7 Act.

8 (g-1) The Secretary of State, in his or her discretion,  
9 may designate on each driver's license issued a space where  
10 the licensee may place a sticker or decal, issued by the  
11 Secretary of State, of uniform size as the Secretary may  
12 specify, that shall indicate in appropriate language that the  
13 owner of the license has renewed his or her driver's license.

14 (h) A person who acts in good faith in accordance with the  
15 terms of this Section is not liable for damages in any civil  
16 action or subject to prosecution in any criminal proceeding  
17 for his or her act.

18 (i) The Secretary shall designate a space on each original  
19 or renewal of a driver's license, at the request of the  
20 applicant, for a designation as a Gold Star Family. This  
21 designation shall be available to a person eligible for Gold  
22 Star license plates under subsection (f) of Section 6-106 of  
23 this Code.

24 (Source: P.A. 103-888, eff. 8-9-24; 103-933, eff. 1-1-25;  
25 revised 11-26-24.)

1           Section 995. No acceleration or delay. Where this Act  
2 makes changes in a statute that is represented in this Act by  
3 text that is not yet or no longer in effect (for example, a  
4 Section represented by multiple versions), the use of that  
5 text does not accelerate or delay the taking effect of (i) the  
6 changes made by this Act or (ii) provisions derived from any  
7 other Public Act.

8           Section 997. Severability. The provisions of this Act are  
9 severable under Section 1.31 of the Statute on Statutes.

10           Section 999 Effective date. This Act takes effect January  
11 1, 2026.