



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3090

by Rep. Camille Y. Lilly

SYNOPSIS AS INTRODUCED:

New Act

15 ILCS 335/4

from Ch. 124, par. 24

730 ILCS 5/3-2.5-75

730 ILCS 5/3-14-1

from Ch. 38, par. 1003-14-1

Creates the Reporting of Deaths in Custody Act. Provides that in any case in which a person dies while in the custody of: (1) any law enforcement agency, (2) a local or State correctional facility in the State, or (3) a peace officer or as a result of the peace officer's use of force, the law enforcement agency shall investigate and report the death in writing to the Attorney General, no later than 30 days after the date on which the person in custody or incarcerated died. Provides information that must be contained in the report. Provides that the report shall be a public record under the Freedom of Information Act. Provides that the Attorney General shall issue a public annual report tabulating and evaluating trends and information on deaths in custody. Provides that the family, next of kin, or any other person reasonably nominated by the decedent as an emergency contact shall be notified as soon as possible in a suitable manner giving an accurate factual account of the cause of death and circumstances surrounding the death in custody. Amends the Illinois Identification Card Act and the Unified Code of Corrections concerning reports the Secretary of State, Department of Juvenile Justice, and the Department of Corrections shall make to the General Assembly. Provides that the Secretary of State, Department of Juvenile Justice, and the Department of Corrections shall publish the reports on their respective websites.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning criminal law.

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
5 Reporting of Deaths in Custody Act.

6 Section 5. Report of deaths of persons in custody in
7 correctional institutions.

8 (a) In this Act, "law enforcement agency" includes each law
9 enforcement entity within this State having the authority to
10 arrest and detain persons suspected of, or charged with,
11 committing a criminal offense, and each law enforcement entity
12 that operates a lock up, jail, prison, or any other facility
13 used to detain persons for legitimate law enforcement purposes.

14 (b) In any case in which a person dies:

15 (1) while in the custody of:

16 (A) a law enforcement agency;

17 (B) a local or State correctional facility in this
18 State; or

19 (C) a peace officer; or

20 (2) as a result of the peace officer's use of force,

21 the law enforcement agency shall investigate and report the
22 death in writing to the Attorney General, no later than 30 days
23 after the date on which the person in custody or incarcerated

1 died. The written report shall contain the following
2 information:

3 (1) facts concerning the death that are in the
4 possession of the law enforcement agency in charge of the
5 investigation and the correctional facility where the
6 death occurred including, but not limited to, cause and
7 manner of death, race, age, and gender of the decedent;

8 (2) the jurisdiction, the law enforcement agency
9 providing the investigation, and the local or State
10 facility where the death occurred;

11 (3) if emergency care was requested by the law
12 enforcement agency in response to any illness, injury,
13 self-inflicted or otherwise, or other issue related to
14 rapid deterioration of physical wellness or human
15 subsistence, and details concerning emergency care that
16 was provided to the decedent if emergency care was
17 provided.

18 (c) The law enforcement agency and the involved
19 correctional administrators shall make a good faith effort to
20 obtain all relevant facts and circumstances relevant to the
21 death and include those in the report.

22 (d) The Attorney General shall create a standardized form
23 to be used for the purpose of collecting information as
24 described in subsection (b).

25 (e) Law enforcement agencies shall use the form described
26 in subsection (d) to report all cases in which a person dies:

- 1 (1) while in the custody of:
- 2 (A) a law enforcement agency;
- 3 (B) a local or State correctional facility in this
- 4 State; or
- 5 (C) a peace officer; or
- 6 (2) as a result of the peace officer's use of force.
- 7 (f) The Attorney General may determine the manner in which
- 8 the form is transmitted from a law enforcement agency to the
- 9 Attorney General.
- 10 (g) The reports shall be public records within the meaning
- 11 of subsection (c) of Section 2 of the Freedom of Information
- 12 Act and are open to public inspection, with the exception of
- 13 any portion of the report that the Attorney General determines
- 14 is privileged or protected under Illinois or federal law.
- 15 (h) The Attorney General shall make available to the public
- 16 information of all individual reports relating to deaths in
- 17 custody through the Attorney General's website to be updated on
- 18 a quarterly basis.
- 19 (i) The Attorney General shall issue a public annual report
- 20 tabulating and evaluating trends and information on deaths in
- 21 custody, including, but not limited to:
- 22 (1) information regarding cause and manner of death,
- 23 race, and the gender of the decedent;
- 24 (2) the jurisdiction, law enforcement agency providing
- 25 the investigation, and local or State facility where the
- 26 death occurred: and

1 (3) recommendations and State and local efforts
2 underway to reduce deaths in custody.

3 The report shall be submitted to the Governor and General
4 Assembly and made available to the public on the Attorney
5 General's website the first week of February of each year.

6 (j) So that the State may oversee the healthcare provided
7 to any person in the custody of each law enforcement agency
8 within this State, provision of medical services to these
9 persons, general care and treatment, and any other factors that
10 may contribute to the death of any of these persons, the
11 following information shall be made available to the public on
12 the Attorney General's website:

13 (1) the number of deaths that occurred during the
14 preceding calendar year;

15 (2) the known, or discoverable upon reasonable
16 inquiry, causes and contributing factors of each of the
17 in-custody deaths as defined in subsection (b); and

18 (3) the law enforcement agency's policies, procedures,
19 and protocols related to:

20 (A) treatment of a person experiencing withdrawal
21 from alcohol or substance use;

22 (B) the facility's provision, or lack of
23 provision, of medications used to treat, mitigate, or
24 address a person's symptoms; and

25 (C) notifying an inmate's next of kin after the
26 inmate's in-custody death.

1 (k) The family, next of kin, or any other person reasonably
2 nominated by the decedent as an emergency contact shall be
3 notified as soon as possible in a suitable manner giving an
4 accurate factual account of the cause of death and
5 circumstances surrounding the death in custody.

6 (l) The law enforcement agency or correctional facility
7 shall name a staff person to act as dedicated family liaison
8 officer to be a point of contact for the family, to make and
9 maintain contact with the family, to report ongoing
10 developments and findings of investigations, and to provide
11 information and practical support. If requested by the
12 deceased's next of kin, the law enforcement agency or
13 correctional facility shall arrange for a chaplain, counselor,
14 or other suitable staff member to meet with the family and
15 discuss any faith considerations or concerns. The family has a
16 right to the medical records of a family member who has died in
17 custody and these records shall be disclosed to them.

18 (m) It is unlawful for a person who is required under this
19 Section to investigate a death or file a report to fail to
20 include in the report facts known or discovered in the
21 investigation to the Attorney General. A violation of this
22 Section is a Class B misdemeanor.

23 Section 105. The Illinois Identification Card Act is
24 amended by changing Section 4 as follows:

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

2 (Text of Section before amendment by P.A. 100-717)

3 Sec. 4. Identification card.

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

25 (a-5) If an applicant for an identification card has a
26 current driver's license or instruction permit issued by the

1 Secretary of State, the Secretary may require the applicant to
2 utilize the same residence address and name on the
3 identification card, driver's license, and instruction permit
4 records maintained by the Secretary. The Secretary may
5 promulgate rules to implement this provision.

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

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

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

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

21 (a-25) The Secretary of State shall issue a limited-term
22 Illinois Identification Card valid for 90 days to a committed
23 person upon release on parole, mandatory supervised release,
24 aftercare release, final discharge, or pardon from the
25 Department of Corrections or Department of Juvenile Justice, if
26 the released person is unable to present a certified copy of

1 his or her birth certificate and social security card or other
2 documents authorized by the Secretary, but does present a
3 Secretary of State prescribed verification form completed by
4 the Department of Corrections or Department of Juvenile
5 Justice, verifying the released person's date of birth and
6 social security number and 2 documents proving his or her
7 Illinois residence address. The verification form must have
8 been completed no more than 30 days prior to the date of
9 application for the Illinois Identification Card. Documents
10 proving residence address shall include any official document
11 of the Department of Corrections or the Department of Juvenile
12 Justice showing the person's address after release and a
13 Secretary of State prescribed certificate of residency, which
14 may be executed by Department of Corrections or Department of
15 Juvenile Justice personnel.

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

23 (b) The Secretary of State shall issue a special Illinois
24 Identification Card, which shall be known as an Illinois Person
25 with a Disability Identification Card, to any natural person
26 who is a resident of the State of Illinois, who is a person

1 with a disability as defined in Section 4A of this Act, who
2 applies for such card, or renewal thereof. No Illinois Person
3 with a Disability Identification Card shall be issued to any
4 person who holds a valid foreign state identification card,
5 license, or permit unless the person first surrenders to the
6 Secretary of State the valid foreign state identification card,
7 license, or permit. The Secretary of State shall charge no fee
8 to issue such card. The card shall be prepared and supplied by
9 the Secretary of State, and shall include a photograph and
10 signature or mark of the applicant, a designation indicating
11 that the card is an Illinois Person with a Disability
12 Identification Card, and shall include a comprehensible
13 designation of the type and classification of the applicant's
14 disability as set out in Section 4A of this Act. However, the
15 Secretary of State may provide by rule for the issuance of
16 Illinois Person with a Disability Identification Cards without
17 photographs if the applicant has a bona fide religious
18 objection to being photographed or to the display of his or her
19 photograph. If the applicant so requests, the card shall
20 include a description of the applicant's disability and any
21 information about the applicant's disability or medical
22 history which the Secretary determines would be helpful to the
23 applicant in securing emergency medical care. If a mark is used
24 in lieu of a signature, such mark shall be affixed to the card
25 in the presence of two witnesses who attest to the authenticity
26 of the mark. The Illinois Person with a Disability

1 Identification Card may be used for identification purposes in
2 any lawful situation by the person to whom it was issued.

3 The Illinois Person with a Disability Identification Card
4 may be used as adequate documentation of disability in lieu of
5 a physician's determination of disability, a determination of
6 disability from a physician assistant, a determination of
7 disability from an advanced practice registered nurse, or any
8 other documentation of disability whenever any State law
9 requires that a person with a disability provide such
10 documentation of disability, however an Illinois Person with a
11 Disability Identification Card shall not qualify the
12 cardholder to participate in any program or to receive any
13 benefit which is not available to all persons with like
14 disabilities. Notwithstanding any other provisions of law, an
15 Illinois Person with a Disability Identification Card, or
16 evidence that the Secretary of State has issued an Illinois
17 Person with a Disability Identification Card, shall not be used
18 by any person other than the person named on such card to prove
19 that the person named on such card is a person with a
20 disability or for any other purpose unless the card is used for
21 the benefit of the person named on such card, and the person
22 named on such card consents to such use at the time the card is
23 so used.

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

1 Identification Card.

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

6 (c) The Secretary of State shall provide that each original
7 or renewal Illinois Identification Card or Illinois Person with
8 a Disability Identification Card issued to a person under the
9 age of 21 shall be of a distinct nature from those Illinois
10 Identification Cards or Illinois Person with a Disability
11 Identification Cards issued to individuals 21 years of age or
12 older. The color designated for Illinois Identification Cards
13 or Illinois Person with a Disability Identification Cards for
14 persons under the age of 21 shall be at the discretion of the
15 Secretary of State.

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

21 (c-3) The General Assembly recognizes the need to identify
22 military veterans living in this State for the purpose of
23 ensuring that they receive all of the services and benefits to
24 which they are legally entitled, including healthcare,
25 education assistance, and job placement. To assist the State in
26 identifying these veterans and delivering these vital services

1 and benefits, the Secretary of State is authorized to issue
2 Illinois Identification Cards and Illinois Person with a
3 Disability Identification Cards with the word "veteran"
4 appearing on the face of the cards. This authorization is
5 predicated on the unique status of veterans. The Secretary may
6 not issue any other identification card which identifies an
7 occupation, status, affiliation, hobby, or other unique
8 characteristics of the identification card holder which is
9 unrelated to the purpose of the identification card.

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

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

1 (e) The Secretary of State, in his or her discretion, may
2 designate on each Illinois Identification Card or Illinois
3 Person with a Disability Identification Card a space where the
4 card holder may place a sticker or decal, issued by the
5 Secretary of State, of uniform size as the Secretary may
6 specify, that shall indicate in appropriate language that the
7 card holder has renewed his or her Illinois Identification Card
8 or Illinois Person with a Disability Identification Card.

9 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
10 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff. 7-1-17;
11 100-513, eff. 1-1-18.)

12 (Text of Section after amendment by P.A. 100-717)

13 Sec. 4. Identification card.

14 (a) The Secretary of State shall issue a standard Illinois
15 Identification Card to any natural person who is a resident of
16 the State of Illinois who applies for such card, or renewal
17 thereof. No identification card shall be issued to any person
18 who holds a valid foreign state identification card, license,
19 or permit unless the person first surrenders to the Secretary
20 of State the valid foreign state identification card, license,
21 or permit. The card shall be prepared and supplied by the
22 Secretary of State and shall include a photograph and signature
23 or mark of the applicant. However, the Secretary of State may
24 provide by rule for the issuance of Illinois Identification
25 Cards without photographs if the applicant has a bona fide

1 religious objection to being photographed or to the display of
2 his or her photograph. The Illinois Identification Card may be
3 used for identification purposes in any lawful situation only
4 by the person to whom it was issued. As used in this Act,
5 "photograph" means any color photograph or digitally produced
6 and captured image of an applicant for an identification card.
7 As used in this Act, "signature" means the name of a person as
8 written by that person and captured in a manner acceptable to
9 the Secretary of State.

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

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

1 all violations or is limited to specific violations.

2 (a-15) The Secretary of State may provide for an expedited
3 process for the issuance of an Illinois Identification Card.
4 The Secretary shall charge an additional fee for the expedited
5 issuance of an Illinois Identification Card, to be set by rule,
6 not to exceed \$75. All fees collected by the Secretary for
7 expedited Illinois Identification Card service shall be
8 deposited into the Secretary of State Special Services Fund.
9 The Secretary may adopt rules regarding the eligibility,
10 process, and fee for an expedited Illinois Identification Card.
11 If the Secretary of State determines that the volume of
12 expedited identification card requests received on a given day
13 exceeds the ability of the Secretary to process those requests
14 in an expedited manner, the Secretary may decline to provide
15 expedited services, and the additional fee for the expedited
16 service shall be refunded to the applicant.

17 (a-20) The Secretary of State shall issue a standard
18 Illinois Identification Card to a committed person upon release
19 on parole, mandatory supervised release, aftercare release,
20 final discharge, or pardon from the Department of Corrections
21 or Department of Juvenile Justice, if the released person
22 presents a certified copy of his or her birth certificate,
23 social security card or other documents authorized by the
24 Secretary, and 2 documents proving his or her Illinois
25 residence address. Documents proving residence address may
26 include any official document of the Department of Corrections

1 or the Department of Juvenile Justice showing the released
2 person's address after release and a Secretary of State
3 prescribed certificate of residency form, which may be executed
4 by Department of Corrections or Department of Juvenile Justice
5 personnel.

6 (a-25) The Secretary of State shall issue a limited-term
7 Illinois Identification Card valid for 90 days to a committed
8 person upon release on parole, mandatory supervised release,
9 aftercare release, final discharge, or pardon from the
10 Department of Corrections or Department of Juvenile Justice, if
11 the released person is unable to present a certified copy of
12 his or her birth certificate and social security card or other
13 documents authorized by the Secretary, but does present a
14 Secretary of State prescribed verification form completed by
15 the Department of Corrections or Department of Juvenile
16 Justice, verifying the released person's date of birth and
17 social security number and 2 documents proving his or her
18 Illinois residence address. The verification form must have
19 been completed no more than 30 days prior to the date of
20 application for the Illinois Identification Card. Documents
21 proving residence address shall include any official document
22 of the Department of Corrections or the Department of Juvenile
23 Justice showing the person's address after release and a
24 Secretary of State prescribed certificate of residency, which
25 may be executed by Department of Corrections or Department of
26 Juvenile Justice personnel.

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

8 (a-26) The Secretary of State shall track and issue an
9 annual report to the General Assembly detailing the number of
10 permanent Illinois Identification Cards issued by the
11 Secretary of State to persons presenting verification forms
12 issued by the Department of Juvenile Justice and Department of
13 Corrections. The report shall include comparable data from the
14 previous calendar year and shall reflect any increases or
15 decreases. The Secretary of State shall publish the report on
16 the Secretary of State's website.

17 (a-30) The Secretary of State shall issue a standard
18 Illinois Identification Card to a person upon conditional
19 release or absolute discharge from the custody of the
20 Department of Human Services, if the person presents a
21 certified copy of his or her birth certificate, social security
22 card, or other documents authorized by the Secretary, and a
23 document proving his or her Illinois residence address. The
24 Secretary of State shall issue a standard Illinois
25 Identification Card to a person no sooner than 14 days prior to
26 his or her conditional release or absolute discharge if

1 personnel from the Department of Human Services bring the
2 person to a Secretary of State location with the required
3 documents. Documents proving residence address may include any
4 official document of the Department of Human Services showing
5 the person's address after release and a Secretary of State
6 prescribed verification form, which may be executed by
7 personnel of the Department of Human Services.

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

1 Department of Human Services showing the person's address after
2 release and a Secretary of State prescribed verification form,
3 which may be executed by personnel of the Department of Human
4 Services.

5 (b) The Secretary of State shall issue a special Illinois
6 Identification Card, which shall be known as an Illinois Person
7 with a Disability Identification Card, to any natural person
8 who is a resident of the State of Illinois, who is a person
9 with a disability as defined in Section 4A of this Act, who
10 applies for such card, or renewal thereof. No Illinois Person
11 with a Disability Identification Card shall be issued to any
12 person who holds a valid foreign state identification card,
13 license, or permit unless the person first surrenders to the
14 Secretary of State the valid foreign state identification card,
15 license, or permit. The Secretary of State shall charge no fee
16 to issue such card. The card shall be prepared and supplied by
17 the Secretary of State, and shall include a photograph and
18 signature or mark of the applicant, a designation indicating
19 that the card is an Illinois Person with a Disability
20 Identification Card, and shall include a comprehensible
21 designation of the type and classification of the applicant's
22 disability as set out in Section 4A of this Act. However, the
23 Secretary of State may provide by rule for the issuance of
24 Illinois Person with a Disability Identification Cards without
25 photographs if the applicant has a bona fide religious
26 objection to being photographed or to the display of his or her

1 photograph. If the applicant so requests, the card shall
2 include a description of the applicant's disability and any
3 information about the applicant's disability or medical
4 history which the Secretary determines would be helpful to the
5 applicant in securing emergency medical care. If a mark is used
6 in lieu of a signature, such mark shall be affixed to the card
7 in the presence of two witnesses who attest to the authenticity
8 of the mark. The Illinois Person with a Disability
9 Identification Card may be used for identification purposes in
10 any lawful situation by the person to whom it was issued.

11 The Illinois Person with a Disability Identification Card
12 may be used as adequate documentation of disability in lieu of
13 a physician's determination of disability, a determination of
14 disability from a physician assistant, a determination of
15 disability from an advanced practice registered nurse, or any
16 other documentation of disability whenever any State law
17 requires that a person with a disability provide such
18 documentation of disability, however an Illinois Person with a
19 Disability Identification Card shall not qualify the
20 cardholder to participate in any program or to receive any
21 benefit which is not available to all persons with like
22 disabilities. Notwithstanding any other provisions of law, an
23 Illinois Person with a Disability Identification Card, or
24 evidence that the Secretary of State has issued an Illinois
25 Person with a Disability Identification Card, shall not be used
26 by any person other than the person named on such card to prove

1 that the person named on such card is a person with a
2 disability or for any other purpose unless the card is used for
3 the benefit of the person named on such card, and the person
4 named on such card consents to such use at the time the card is
5 so used.

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

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

14 (c) The Secretary of State shall provide that each original
15 or renewal Illinois Identification Card or Illinois Person with
16 a Disability Identification Card issued to a person under the
17 age of 21 shall be of a distinct nature from those Illinois
18 Identification Cards or Illinois Person with a Disability
19 Identification Cards issued to individuals 21 years of age or
20 older. The color designated for Illinois Identification Cards
21 or Illinois Person with a Disability Identification Cards for
22 persons under the age of 21 shall be at the discretion of the
23 Secretary of State.

24 (c-1) Each original or renewal Illinois Identification
25 Card or Illinois Person with a Disability Identification Card
26 issued to a person under the age of 21 shall display the date

1 upon which the person becomes 18 years of age and the date upon
2 which the person becomes 21 years of age.

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

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

25 (d) The Secretary of State may issue a Senior Citizen
26 discount card, to any natural person who is a resident of the

1 State of Illinois who is 60 years of age or older and who
2 applies for such a card or renewal thereof. The Secretary of
3 State shall charge no fee to issue such card. The card shall be
4 issued in every county and applications shall be made available
5 at, but not limited to, nutrition sites, senior citizen centers
6 and Area Agencies on Aging. The applicant, upon receipt of such
7 card and prior to its use for any purpose, shall have affixed
8 thereon in the space provided therefor his signature or mark.

9 (e) The Secretary of State, in his or her discretion, may
10 designate on each Illinois Identification Card or Illinois
11 Person with a Disability Identification Card a space where the
12 card holder may place a sticker or decal, issued by the
13 Secretary of State, of uniform size as the Secretary may
14 specify, that shall indicate in appropriate language that the
15 card holder has renewed his or her Illinois Identification Card
16 or Illinois Person with a Disability Identification Card.

17 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
18 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff. 7-1-17;
19 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

20 Section 110. The Unified Code of Corrections is amended by
21 changing Sections 3-2.5-75 and 3-14-1 as follows:

22 (730 ILCS 5/3-2.5-75)

23 Sec. 3-2.5-75. Release from Department of Juvenile
24 Justice.

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

9 (b) Before a wrongfully imprisoned person, as defined in
10 Section 3-1-2 of this Code, is discharged from the Department,
11 the Department shall provide him or her with any documents
12 necessary after discharge.

13 (c) The Department of Juvenile Justice may establish and
14 maintain, in any institution it administers, revolving funds to
15 be known as "Travel and Allowances Revolving Funds". These
16 revolving funds shall be used for advancing travel and expense
17 allowances to committed, released, and discharged youth. The
18 moneys paid into these revolving funds shall be from
19 appropriations to the Department for committed, released, and
20 discharged prisoners.

21 (d) Upon the release of a youth on aftercare, the
22 Department shall provide that youth with information
23 concerning programs and services of the Department of Public
24 Health to ascertain whether that youth has been exposed to the
25 human immunodeficiency virus (HIV) or any identified causative
26 agent of Acquired Immunodeficiency Syndrome (AIDS).

1 (e) Upon the release of a youth on aftercare or who has
2 been wrongfully imprisoned, the Department shall verify the
3 youth's full name, date of birth, and social security number.
4 If verification is made by the Department by obtaining a
5 certified copy of the youth's birth certificate and the youth's
6 social security card or other documents authorized by the
7 Secretary, the Department shall provide the birth certificate
8 and social security card or other documents authorized by the
9 Secretary to the youth. If verification is done by means other
10 than obtaining a certified copy of the youth's birth
11 certificate and the youth's social security card or other
12 documents authorized by the Secretary, the Department shall
13 complete a verification form, prescribed by the Secretary of
14 State and shall provide that verification form to the youth.

15 (f) In order to determine how many persons released from
16 incarceration in the Department of Juvenile Justice obtained
17 permanent Illinois Identification Cards, the Department of
18 Juvenile Justice shall track and issue an annual report to the
19 General Assembly detailing the number of birth certificates
20 obtained for persons while in its custody, the number of social
21 security cards obtained for persons while in its custody, and
22 the number of verification forms issued to persons in its
23 custody within 30 days of a person's release from custody. The
24 report shall include comparable data from the previous calendar
25 year and shall reflect any increases or decreases. The
26 Department of Juvenile Justice shall publish the reports on its

1 website.

2 (Source: P.A. 98-558, eff. 1-1-14; 98-685, eff. 1-1-15; 99-907,
3 eff. 7-1-17.)

4 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

5 Sec. 3-14-1. Release from the institution.

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

14 (a-1) The Department shall, before a wrongfully imprisoned
15 person, as defined in Section 3-1-2 of this Code, is discharged
16 from the Department, provide him or her with any documents
17 necessary after discharge.

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

1 (b) (Blank).

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

1 thereafter as possible. The written notification shall be
2 provided electronically if the State's Attorney, sheriff,
3 proper law enforcement agency, or public housing agency has
4 provided the Department with an accurate and up to date email
5 address.

6 (c-1) (Blank).

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

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

23 (1) The mittimus and any pre-sentence investigation
24 reports.

25 (2) The social evaluation prepared pursuant to Section
26 3-8-2.

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

3 (4) Reports of disciplinary infractions and
4 dispositions.

5 (5) Any parole plan, including orders issued by the
6 Prisoner Review Board, and any violation reports and
7 dispositions.

8 (6) The name and contact information for the assigned
9 parole agent and parole supervisor.

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

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

18 (1) The Prisoner Review Board.

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

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

23 (d) Upon the release of a committed person on parole,
24 mandatory supervised release, final discharge or pardon, the
25 Department shall provide such person with information
26 concerning programs and services of the Illinois Department of

1 Public Health to ascertain whether such person has been exposed
2 to the human immunodeficiency virus (HIV) or any identified
3 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

4 (e) Upon the release of a committed person on parole,
5 mandatory supervised release, final discharge, pardon, or who
6 has been wrongfully imprisoned, the Department shall verify the
7 released person's full name, date of birth, and social security
8 number. If verification is made by the Department by obtaining
9 a certified copy of the released person's birth certificate and
10 the released person's social security card or other documents
11 authorized by the Secretary, the Department shall provide the
12 birth certificate and social security card or other documents
13 authorized by the Secretary to the released person. If
14 verification by the Department is done by means other than
15 obtaining a certified copy of the released person's birth
16 certificate and the released person's social security card or
17 other documents authorized by the Secretary, the Department
18 shall complete a verification form, prescribed by the Secretary
19 of State, and shall provide that verification form to the
20 released person.

21 (f) Forty-five days prior to the scheduled discharge of a
22 person committed to the custody of the Department of
23 Corrections, the Department shall give the person who is
24 otherwise uninsured an opportunity to apply for health care
25 coverage including medical assistance under Article V of the
26 Illinois Public Aid Code in accordance with subsection (b) of

1 Section 1-8.5 of the Illinois Public Aid Code, and the
2 Department of Corrections shall provide assistance with
3 completion of the application for health care coverage
4 including medical assistance. The Department may adopt rules to
5 implement this Section.

6 (g) In order to determine how many persons released from
7 incarceration in the Department obtained permanent Illinois
8 Identification Cards, the Department shall track and issue an
9 annual report to the General Assembly detailing the number of
10 birth certificates obtained for persons while in its custody,
11 the number of social security cards obtained for persons while
12 in its custody, and the number of verification forms issued to
13 persons in its custody within 30 days of a person's release
14 from custody. The report shall include comparable data from the
15 previous calendar year and shall reflect any increases or
16 decreases. The Department shall publish the reports on its
17 website.

18 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15;
19 99-907, eff. 7-1-17.)

20 Section 995. No acceleration or delay. Where this Act makes
21 changes in a statute that is represented in this Act by text
22 that is not yet or no longer in effect (for example, a Section
23 represented by multiple versions), the use of that text does
24 not accelerate or delay the taking effect of (i) the changes
25 made by this Act or (ii) provisions derived from any other

1 Public Act.