

HB3216



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3216

by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

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

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

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Provides that for the purpose of issuing an identification card or driver's license with a veteran designation, acceptable forms of proof shall include, among other documents, Department of Defense form DD-2 (Retired) or a United States Department of Veterans Affairs summary of benefits letter. Provides new requirements for verification of veteran status. Makes conforming changes.

LRB101 05860 RJF 50879 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Section 5 as follows:

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

7 Sec. 5. Applications.

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

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

18 (b) Beginning on or before July 1, 2015, for each original
19 or renewal identification card application under this Act, the
20 Secretary shall inquire as to whether the applicant is a
21 veteran for purposes of issuing an identification card with a
22 veteran designation under subsection (c-5) of Section 4 of this
23 Act. The acceptable forms of proof shall include, but are not
24 limited to, Department of Defense form DD-214, Department of
25 Defense form DD-2 (Retired), ~~or~~ an identification card issued
26 under the federal Veterans Identification Card Act of 2015, or

1 a United States Department of Veterans Affairs summary of
2 benefits letter. If the document cannot be stamped, the
3 Illinois Department of Veterans' Affairs shall provide a
4 certificate to the veteran to provide to the Secretary of
5 State. The Illinois Department of Veterans' Affairs shall
6 advise the Secretary as to what other forms of proof of a
7 person's status as a veteran are acceptable.

8 ~~The Illinois Department of Veterans' Affairs shall confirm~~
9 ~~the status of the applicant as an honorably discharged veteran~~
10 ~~before the Secretary may issue the identification card.~~

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 cancelled.

23 For purposes of this subsection (b):

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

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

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

10 (Source: P.A. 99-511, eff. 1-1-17; 99-544, eff. 7-15-16;
11 100-201, eff. 8-18-17; 100-248, eff. 8-22-17; 100-811, eff.
12 1-1-19.)

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

15 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

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

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

24 (b) Every application shall state the legal name, social

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

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

6 (b-5) Every applicant for a REAL ID compliant driver's
7 license or permit shall provide proof of lawful status in the
8 United States as defined in 6 CFR 37.3, as amended. Applicants
9 who are unable to provide the Secretary with proof of lawful
10 status may apply for a driver's license or permit under Section
11 6-105.1 of this Code.

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

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

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

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

26 ~~The Illinois Department of Veterans' Affairs shall confirm~~

1 ~~the status of the applicant as an honorably discharged veteran~~
2 ~~before the Secretary may issue the driver's license.~~

3 For each applicant who is issued a driver's license with a
4 veteran designation, the Secretary shall provide the
5 Department of Veterans' Affairs with the applicant's name,
6 address, date of birth, gender and such other demographic
7 information as agreed to by the Secretary and the Department.
8 The Department may take steps necessary to confirm the
9 applicant is a veteran. If after due diligence, including
10 writing to the applicant at the address provided by the
11 Secretary, the Department is unable to verify the applicant's
12 veteran status, the Department shall inform the Secretary, who
13 shall notify the applicant that the he or she must confirm
14 status as a veteran, or the driver's license will be cancelled.

15 For purposes of this subsection (e):

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

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

21 (Source: P.A. 99-511, eff. 1-1-17; 99-544, eff. 7-15-16;
22 100-201, eff. 8-18-17; 100-248, eff. 8-22-17; 100-811, eff.
23 1-1-19.)