



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1512

Introduced 2/18/2009, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4C new
625 ILCS 5/3-422 new
625 ILCS 5/6-121 new

Amends the Illinois Identification Card Act and the Illinois Vehicle Code to provide procedures for the issuance and cancellation of confidential State identification cards, drivers' licenses, and license plates and registrations to local, state, and federal government agencies for bona fide law enforcement purposes. Provides that those confidential materials may be issued with fictitious names and addresses, and may be used only for confidential, investigative, or undercover law enforcement operations. Provides that the Secretary of State Police Department may cancel or refuse to renew those confidential materials when they have reasonable cause to believe they are being used for purposes other than those set forth in the application form or authorized by this Act. Effective immediately.

LRB096 05765 AJT 15838 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning law enforcement.

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 adding Section 4C as follows:

6 (15 ILCS 335/4C new)

7 Sec. 4C. Issuance of confidential identification cards.

8 (a) Requirements for use of confidential identification
9 cards. Confidential identification cards may be issued to
10 local, state, and federal government agencies for bona fide law
11 enforcement purposes. The identification cards may be issued in
12 fictitious names and addresses, and may be used only in
13 confidential, investigative, or undercover law enforcement
14 operations.

15 (b) Application procedures for confidential identification
16 cards:

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

22 (2) The application form must include information, as
23 specific as possible without compromising investigations

1 or techniques, setting forth the need for the
2 identification cards and the uses to which the
3 identification cards will be limited.

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

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

14 (c) Cancellation procedures for confidential
15 identification cards:

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

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

24 (3) Upon the request of the Secretary of State Police
25 Department, all cancelled confidential identification
26 cards must be promptly returned to the Secretary of State

1 Police Department by the government agency to which they
2 were issued.

3 Section 10. The Illinois Vehicle Code is amended by adding
4 Sections 3-422 and 6-121 as follows:

5 (625 ILCS 5/3-422 new)

6 Sec. 3-422. Issuance of confidential license plates and
7 registrations.

8 (a) Requirements for use of confidential vehicle license
9 plates and registrations. Confidential vehicle license plates
10 and registrations may be issued to local, state, and federal
11 government agencies for bona fide law enforcement purposes. The
12 plates and registrations may be issued in fictitious names and
13 addresses, and may be used only in confidential, investigative,
14 or undercover law enforcement operations.

15 (b) Application procedures for confidential plates and
16 registrations:

17 (1) Applications by local, state, and federal
18 government agencies for confidential license plates and
19 registrations must be made to the Secretary of State Police
20 Department on a form and in a manner prescribed by the
21 Secretary of State Police Department.

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

1 plates and registrations and the uses to which the licenses
2 plates and registrations will be limited.

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

6 (4) Registration information maintained by the
7 Secretary of State Police Department for confidential
8 license plates and registrations must show the fictitious
9 names and addresses on all records subject to public
10 disclosure. All other information concerning these
11 confidential license plates and registrations are exempt
12 from disclosure unless the disclosure is ordered by a court
13 of competent jurisdiction.

14 (c) Revocation and cancellation procedures for
15 confidential license plates and registrations:

16 (1) The Secretary of State Police Department may revoke
17 or refuse to renew confidential license plates and
18 registrations when they have reasonable cause to believe
19 the license plates and registrations are being used for
20 purposes other than those set forth in the application form
21 or authorized by this Section, or where records indicate
22 that within a one year period five or more parking or toll
23 highway violations have been issued to the vehicle
24 associated with the license plate and registration and
25 those violations remain unpaid.

26 (2) A government agency must request cancellation of

1 confidential license plates and registrations that are no
2 longer required for the purposes for which they were
3 issued.

4 (3) All revoked confidential license plates and
5 certificates of registration must be promptly returned to
6 the Secretary of State Police Department by the government
7 agency to which they were issued.

8 (d) All fees collected for the issuance of confidential
9 license plates and registrations must be deposited in the
10 Secretary of State Police Services Fund.

11 (625 ILCS 5/6-121 new)

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

13 (a) Requirements for use of confidential drivers'
14 licenses. Confidential drivers' licenses may be issued to
15 local, state, and federal government agencies for bona fide law
16 enforcement purposes. The drivers' licenses may be issued with
17 fictitious names and addresses, and may be used only for
18 confidential, investigative, or undercover law enforcement
19 operations.

20 (b) Application procedures for confidential drivers'
21 licenses:

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

1 Police Department.

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

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

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

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

19 (1) The Secretary of State Police Department may revoke
20 or refuse to renew confidential drivers' licenses when they
21 have reasonable cause to believe the licenses are being
22 used for purposes other than those set forth in the
23 application form or authorized by this Section.
24 Confidential drivers' licenses may also be revoked where
25 traffic violation citations have been issued to the driver
26 and subsequent investigation reveals that the issuance of

1 the citations was unrelated to the purposes for which the
2 confidential drivers' license was issued. In such cases,
3 the citations and any resulting court orders, convictions,
4 supervisions or other sanctions must be treated by the
5 Secretary of State as though they were issued in relation
6 to the true drivers' licenses of the individual to whom the
7 confidential drivers' license was issued.

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

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

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.