



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5915

by Rep. Rita Mayfield

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4

from Ch. 124, par. 24

730 ILCS 5/3-14-1

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

Amends the Illinois Identification Card Act. Provides that the Secretary of State shall provide a temporary Illinois Identification Card valid for a period not exceeding 30 days upon the release of any committed person on parole, mandatory supervised release, wrongful imprisonment, final discharge, pardon, or commutation from the Department of Corrections (rather than the Department of Corrections issuing the temporary identification card). Amends the Unified Code of Corrections. Provides that the Department of Corrections shall verify a person's identifying information and provide that information to the Secretary of State before the person is released on parole, mandatory supervision, final discharge, pardon, wrongful imprisonment, or commutation. The release of the person shall not be delayed in order to obtain verification of this information.

LRB099 16735 AXK 44948 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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

6 (15 ILCS 335/4) (from Ch. 124, par. 24)

7 Sec. 4. Identification Card.

8 (a) The Secretary of State shall issue a standard Illinois
9 Identification Card to any natural person who is a resident of
10 the State of Illinois who applies for such card, or renewal
11 thereof, or who applies for a standard Illinois Identification
12 Card upon release as a committed person on ~~parole, mandatory~~
13 ~~supervised release,~~ aftercare release, final discharge, or
14 pardon from the ~~Department of Corrections or~~ Department of
15 Juvenile Justice by submitting an identification card issued by
16 the ~~Department of Corrections or~~ Department of Juvenile Justice
17 under ~~Section 3-14-1 or~~ Section 3-2.5-70 of the Unified Code of
18 Corrections, together with the prescribed fees. Upon receiving
19 identification verification information from the Department of
20 Corrections under Section 3-14-1 of the Unified Code of
21 Corrections, the Secretary shall issue a temporary Illinois
22 Identification Card, valid for a period not exceeding 30 days,
23 upon the release of any committed person on parole, mandatory

1 supervised release, final discharge, pardon, commutation, or
2 who has been wrongfully imprisoned from the Department of
3 Corrections. No 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 card shall be prepared and supplied by
8 the Secretary of State and shall include a photograph and
9 signature or mark of the applicant. However, the Secretary of
10 State may provide by rule for the issuance of Illinois
11 Identification Cards without photographs if the applicant has a
12 bona fide religious objection to being photographed or to the
13 display of his or her photograph. The Illinois Identification
14 Card may be used for identification purposes in any lawful
15 situation only by the person to whom it was issued. As used in
16 this Act, "photograph" means any color photograph or digitally
17 produced and captured image of an applicant for an
18 identification card. As used in this Act, "signature" means the
19 name of a person as written by that person and captured in a
20 manner acceptable to the Secretary of State. The Secretary
21 shall adopt rules governing the issuance of temporary
22 identification cards to committed persons under this
23 subsection (a). The Secretary shall not be held civilly or
24 criminally liable to anyone because of any act of any person
25 utilizing a temporary Illinois Identification Card issued by
26 the Secretary under this subsection (a).

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

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

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

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

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

1 Illinois Person with a Disability Identification Cards without
2 photographs if the applicant has a bona fide religious
3 objection to being photographed or to the display of his or her
4 photograph. If the applicant so requests, the card shall
5 include a description of the applicant's disability and any
6 information about the applicant's disability or medical
7 history which the Secretary determines would be helpful to the
8 applicant in securing emergency medical care. If a mark is used
9 in lieu of a signature, such mark shall be affixed to the card
10 in the presence of two witnesses who attest to the authenticity
11 of the mark. The Illinois Person with a Disability
12 Identification Card may be used for identification purposes in
13 any lawful situation by the person to whom it was issued.

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

1 Secretary of State has issued an Illinois Person with a
2 Disability Identification Card, shall not be used by any person
3 other than the person named on such card to prove that the
4 person named on such card is a person with a disability or for
5 any other purpose unless the card is used for the benefit of
6 the person named on such card, and the person named on such
7 card consents to such use at the time the card is so used.

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

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

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

26 (c-1) Each original or renewal Illinois Identification

1 Card or Illinois Person with a Disability Identification Card
2 issued to a person under the age of 21 shall display the date
3 upon which the person becomes 18 years of age and the date upon
4 which the person becomes 21 years of age.

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

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

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

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

19 (Source: P.A. 98-323, eff. 1-1-14; 98-463, eff. 8-16-13;
20 98-558, eff. 1-1-14; 98-756, eff. 7-16-14; 99-143, eff.
21 7-27-15; 99-173, eff. 7-29-15; 99-305, eff. 1-1-16; revised
22 10-14-15.)

23 Section 10. The Unified Code of Corrections is amended by
24 changing Section 3-14-1 as follows:

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

2 Sec. 3-14-1. Release from the Institution.

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

11 (a-1) The Department shall, before a wrongfully imprisoned
12 person, as defined in Section 3-1-2 of this Code, is discharged
13 from the Department, provide him or her with any documents
14 necessary after discharge, and shall verify the person's
15 identifying information under subsection (e) of this Section.
16 ~~including an identification card under subsection (e) of this~~
17 ~~Section.~~

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.

26 (b) (Blank).

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

1 provided electronically if the State's Attorney, sheriff,
2 proper law enforcement agency, or public housing agency has
3 provided the Department with an accurate and up to date email
4 address.

5 (c-1) (Blank).

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

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

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

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

26 (3) Any pre-release evaluation conducted pursuant to

1 subsection (j) of Section 3-6-2.

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

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

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

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

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

17 (1) The Prisoner Review Board.

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

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

22 (d) Upon the release of a committed person on parole,
23 mandatory supervised release, final discharge or pardon, the
24 Department shall provide such person with information
25 concerning programs and services of the Illinois Department of
26 Public Health to ascertain whether such person has been exposed

1 to the human immunodeficiency virus (HIV) or any identified
2 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

3 (e) Upon the release of a committed person on parole,
4 mandatory supervised release, final discharge, pardon, or who
5 has been wrongfully imprisoned, the Department shall verify the
6 person's identifying information as correct and immediately
7 provide this information to the Secretary of State for the
8 issuance of a temporary Illinois Identification Card under
9 Section 4 of the Illinois Identification Card Act. The
10 Department shall not delay the release of the person in order
11 to obtain the correct identifying information. The Department
12 shall adopt rules governing the process of verifying
13 identification information under this Section. ~~provide the~~
14 ~~person who has met the criteria established by the Department~~
15 ~~with an identification card identifying the person as being on~~
16 ~~parole, mandatory supervised release, final discharge, pardon,~~
17 ~~or wrongfully imprisoned, as the case may be. The Department,~~
18 ~~in consultation with the Office of the Secretary of State,~~
19 ~~shall prescribe the form of the identification card, which may~~
20 ~~be similar to the form of the standard Illinois Identification~~
21 ~~Card. The Department shall inform the committed person that he~~
22 ~~or she may present the identification card to the Office of the~~
23 ~~Secretary of State upon application for a standard Illinois~~
24 ~~Identification Card in accordance with the Illinois~~
25 ~~Identification Card Act. The Department shall require the~~
26 ~~committed person to pay a \$1 fee for the identification card.~~

1 ~~For purposes of a committed person receiving an~~
2 ~~identification card issued by the Department under this~~
3 ~~subsection, the Department shall establish criteria that the~~
4 ~~committed person must meet before the card is issued. It is the~~
5 ~~sole responsibility of the committed person requesting the~~
6 ~~identification card issued by the Department to meet the~~
7 ~~established criteria. The person's failure to meet the criteria~~
8 ~~is sufficient reason to deny the committed person the~~
9 ~~identification card. An identification card issued by the~~
10 ~~Department under this subsection shall be valid for a period of~~
11 ~~time not to exceed 30 calendar days from the date the card is~~
12 ~~issued. The Department shall not be held civilly or criminally~~
13 ~~liable to anyone because of any act of any person utilizing a~~
14 ~~card issued by the Department under this subsection.~~

15 ~~The Department shall adopt rules governing the issuance of~~
16 ~~identification cards to committed persons being released on~~
17 ~~parole, mandatory supervised release, final discharge, or~~
18 ~~pardon.~~

19 (f) Forty-five days prior to the scheduled discharge of a
20 person committed to the custody of the Department of
21 Corrections, the Department shall give the person who is
22 otherwise uninsured an opportunity to apply for health care
23 coverage including medical assistance under Article V of the
24 Illinois Public Aid Code in accordance with subsection (b) of
25 Section 1-8.5 of the Illinois Public Aid Code, and the
26 Department of Corrections shall provide assistance with

1 completion of the application for health care coverage
2 including medical assistance. The Department may adopt rules to
3 implement this Section.

4 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15.)