

HB1317



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1317

by Rep. Christopher "C.D." Davidsmeyer

SYNOPSIS AS INTRODUCED:

5 ILCS 805/Act rep.
15 ILCS 335/11
625 ILCS 5/6-110.3

from Ch. 124, par. 31

Repeals the Illinois TRUST Act. Makes corresponding changes in the Illinois Identification Card Act and the Illinois Vehicle Code. Effective immediately.

LRB104 03744 BDA 13768 b

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 (5 ILCS 805/Act rep.)

5 Section 5. The Illinois TRUST Act is repealed.

6 Section 10. The Illinois Identification Card Act is
7 amended by changing Section 11 as follows:

8 (15 ILCS 335/11) (from Ch. 124, par. 31)

9 Sec. 11. Records.

10 (a) The Secretary may make a search of his records and
11 furnish information as to whether a person has a current
12 Standard Illinois Identification Card or an Illinois Person
13 with a Disability Identification Card then on file, upon
14 receipt of a written application therefor accompanied with the
15 prescribed fee. However, the Secretary may not disclose
16 medical information concerning an individual to any person,
17 public agency, private agency, corporation or governmental
18 body unless the individual has submitted a written request for
19 the information or unless the individual has given prior
20 written consent for the release of the information to a
21 specific person or entity. This exception shall not apply to:
22 (1) offices and employees of the Secretary who have a need to

1 know the medical information in performance of their official
2 duties, or (2) orders of a court of competent jurisdiction.
3 When medical information is disclosed by the Secretary in
4 accordance with the provisions of this Section, no liability
5 shall rest with the Office of the Secretary of State as the
6 information is released for informational purposes only.

7 (b) Except as otherwise provided in this Section, the
8 Secretary may release personally identifying information only
9 to:

10 (1) officers and employees of the Secretary who have a
11 need to know that information for issuance of driver's
12 licenses, permits, or identification cards and
13 investigation of fraud or misconduct;

14 (2) other governmental agencies for use in their
15 official governmental functions;

16 (3) law enforcement agencies for a criminal or civil
17 investigation, except as restricted by subsections (g) and
18 (h);

19 (3-5) the State Board of Elections as may be required
20 by an agreement the State Board of Elections has entered
21 into with a multi-state voter registration list
22 maintenance system; or

23 (4) any entity that the Secretary has authorized, by
24 rule.

25 (c) Except as otherwise provided in this Section, the
26 Secretary may release highly restricted personal information

1 only to:

2 (1) officers and employees of the Secretary who have a
3 need to access the information for the issuance of
4 driver's licenses, permits, or identification cards and
5 investigation of fraud or misconduct;

6 (2) law enforcement officials for a criminal or civil
7 law enforcement investigation, except as restricted by
8 subsections (g) and (h);

9 (3) the State Board of Elections for the purpose of
10 providing the signature for completion of voter
11 registration; or

12 (4) any other entity the Secretary has authorized by
13 rule.

14 (d) Documents required to be submitted with an application
15 for an identification card to prove the applicant's identity
16 (name and date of birth), social security number or lack of a
17 social security number, written signature, residency, and, as
18 applicable, citizenship and immigration status and country of
19 citizenship shall be confidential and shall not be disclosed
20 except to the following persons:

21 (1) the individual to whom the identification card was
22 issued, upon written request;

23 (2) officers and employees of the Secretary of State
24 who have a need to have access to the stored images for
25 purposes of issuing and controlling driver's licenses,
26 permits, or identification cards and investigation of

1 fraud or misconduct;

2 (3) law enforcement officials for a civil or criminal
3 law enforcement investigation, except as restricted by
4 subsections (g) and (h);

5 (4) other entities that the Secretary may authorize by
6 rule.

7 (e) The Secretary may not disclose an individual's social
8 security number or any associated information obtained from
9 the Social Security Administration without the written request
10 or consent of the individual except: (i) to officers and
11 employees of the Secretary who have a need to know the social
12 security number in the performance of their official duties;
13 (ii) except as restricted by subsections (g) and (h) to law
14 enforcement officials for a civil or criminal law enforcement
15 investigation if an officer of the law enforcement agency has
16 made a written request to the Secretary specifying the law
17 enforcement investigation for which the social security number
18 is being sought; (iii) under a lawful court order signed by a
19 judge; (iv) to the Illinois Department of Veterans' Affairs
20 for the purpose of confirming veteran status to agencies in
21 other states responsible for the issuance of state
22 identification cards for participation in State-to-State
23 verification service; or (v) the last 4 digits to the Illinois
24 State Board of Elections for purposes of voter registration
25 and as may be required pursuant to an agreement for a
26 multi-state voter registration list maintenance system. The

1 Secretary retains the right to require additional verification
2 regarding the validity of a request from law enforcement. If
3 social security information is disclosed by the Secretary in
4 accordance with this Section, no liability shall rest with the
5 Office of the Secretary of State or any of its officers or
6 employees, as the information is released for official
7 purposes only.

8 (f) The Secretary of State shall not provide facial
9 recognition search services or photographs obtained in the
10 process of issuing an identification card to any federal,
11 State, or local law enforcement agency or other governmental
12 entity for the purpose of enforcing federal immigration laws.
13 This subsection shall not apply to requests from federal,
14 State, or local law enforcement agencies or other governmental
15 entities for facial recognition search services or photographs
16 obtained in the process of issuing a driver's license or
17 permit when the purpose of the request relates to criminal
18 activity other than violations of immigration laws.

19 (g) Notwithstanding any other provision of law, the
20 Secretary may not release highly restricted personal
21 information or personally identifying information or disclose
22 documents described in subsection (d) to any immigration
23 agent, ~~as defined in Section 10 of the Illinois TRUST Act,~~
24 unless necessary to comply with the following, to the extent
25 that production of such information or documents is
26 specifically required:

- 1 (1) a lawful court order;
- 2 (2) a judicial warrant signed by a judge appointed
- 3 pursuant to Article III of the Constitution of the United
- 4 States; or
- 5 (3) a subpoena for individual records issued by a
- 6 federal or State court.

7 When responding to such a court order, warrant, or

8 subpoena, the Secretary shall disclose only those documents or

9 information specifically requested. Within 3 business days of

10 receiving such a court order, warrant, or subpoena, the

11 Secretary shall send a notification to the individual about

12 whom such information was requested that a court order,

13 warrant, or subpoena was received and the identity of the

14 entity that presented the court order, warrant, or subpoena.

15 As used in this subsection (g), "immigration agent" means

16 an agent of federal Immigration and Customs Enforcement,

17 federal Customs and Border Protection, or any similar or

18 successor agency.

19 (h) The Secretary shall not enter into or maintain any

20 agreement regarding the sharing of any highly restricted

21 personal information or personally identifying information or

22 documents described in subsection (d) unless all other parties

23 to such agreement certify that the information obtained will

24 not be used for civil immigration purposes or knowingly

25 disseminated to any third party for any purpose related to

26 civil immigration enforcement.

1 (Source: P.A. 102-354, eff. 8-13-21; 103-210, eff. 7-1-24.)

2 Section 15. The Illinois Vehicle Code is amended by
3 changing Section 6-110.3 as follows:

4 (625 ILCS 5/6-110.3)

5 Sec. 6-110.3. Restrictions on use of information for
6 certain purposes.

7 (a) Notwithstanding any other provision of law, the
8 Secretary may not release or make accessible in any manner any
9 highly restricted personal information as defined in Section
10 1-125.9 or personally identifying information as defined in
11 Section 1-159.2, provide images, photos, or facial recognition
12 services as described in Section 6-110.1, or disclose
13 documents as described in Section 6-110.2 to any immigration
14 agent ~~as defined in Section 10 of the Illinois TRUST Act,~~
15 unless necessary to comply with the following, to the extent
16 that production of such information or documents is
17 specifically required:

18 (1) a lawful court order;

19 (2) a judicial warrant signed by a judge appointed
20 pursuant to Article III of the Constitution of the United
21 States; or

22 (3) a subpoena for individual records issued by a
23 federal or State court.

24 When responding to such a court order, warrant, or

1 subpoena, the Secretary shall disclose only those documents or
2 information specifically requested. Within 3 business days of
3 receiving such a court order, warrant, or subpoena, the
4 Secretary shall send a notification to the individual about
5 whom such information was requested that a court order,
6 warrant, or subpoena was received and the identity of the
7 entity that presented the court order, warrant, or subpoena.

8 As used in this subsection (a), "immigration agent" means
9 an agent of federal Immigration and Customs Enforcement,
10 federal Customs and Border Protection, or any similar or
11 successor agency.

12 (b) The Secretary shall not enter into or maintain any
13 agreement regarding the sharing of any highly restricted
14 personal information as defined in Section 1-125.9, personally
15 identifying information as defined in Section 1-159.2, images
16 or photos described in Section 6-110.1, or documents described
17 in Section 6-110.2 unless all other parties to such agreement
18 certify that the information obtained will not be used for
19 civil immigration purposes or knowingly disseminated to any
20 third party for any purpose related to civil immigration
21 enforcement.

22 (Source: P.A. 103-210, eff. 7-1-24.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.