



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB1321

Introduced 2/9/2017, by Sen. Michael Connelly

#### SYNOPSIS AS INTRODUCED:

20 ILCS 4026/10

720 ILCS 5/11-9.3

720 ILCS 5/11-25

720 ILCS 5/11-26

730 ILCS 150/2

from Ch. 38, par. 222

Amends the Criminal Code of 2012. In the statute concerning grooming, defines "child" as a person under 17 years of age. Changes the statute concerning traveling to meet a minor. Changes the offense to traveling to meet a child. Defines "child" as a person under 17 years of age. Amends the Sex Offender Management Board Act and the Sex Offender Registration Act to make conforming changes.

LRB100 08174 RLC 18269 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 5. The Sex Offender Management Board Act is amended  
5 by changing Section 10 as follows:

6 (20 ILCS 4026/10)

7 Sec. 10. Definitions. In this Act, unless the context  
8 otherwise requires:

9 (a) "Board" means the Sex Offender Management Board created  
10 in Section 15.

11 (b) "Sex offender" means any person who is convicted or  
12 found delinquent in the State of Illinois, or under any  
13 substantially similar federal law or law of another state, of  
14 any sex offense or attempt of a sex offense as defined in  
15 subsection (c) of this Section, or any former statute of this  
16 State that defined a felony sex offense, or who has been  
17 declared as a sexually dangerous person under the Sexually  
18 Dangerous Persons Act or declared a sexually violent person  
19 under the Sexually Violent Persons Commitment Act, or any  
20 substantially similar federal law or law of another state.

21 (c) "Sex offense" means any felony or misdemeanor offense  
22 described in this subsection (c) as follows:

23 (1) Indecent solicitation of a child, in violation of

1 Section 11-6 of the Criminal Code of 1961 or the Criminal  
2 Code of 2012;

3 (2) Indecent solicitation of an adult, in violation of  
4 Section 11-6.5 of the Criminal Code of 1961 or the Criminal  
5 Code of 2012;

6 (3) Public indecency, in violation of Section 11-9 or  
7 11-30 of the Criminal Code of 1961 or the Criminal Code of  
8 2012;

9 (4) Sexual exploitation of a child, in violation of  
10 Section 11-9.1 of the Criminal Code of 1961 or the Criminal  
11 Code of 2012;

12 (5) Sexual relations within families, in violation of  
13 Section 11-11 of the Criminal Code of 1961 or the Criminal  
14 Code of 2012;

15 (6) Promoting juvenile prostitution or soliciting for  
16 a juvenile prostitute, in violation of Section 11-14.4 or  
17 11-15.1 of the Criminal Code of 1961 or the Criminal Code  
18 of 2012;

19 (7) Promoting juvenile prostitution or keeping a place  
20 of juvenile prostitution, in violation of Section 11-14.4  
21 or 11-17.1 of the Criminal Code of 1961 or the Criminal  
22 Code of 2012;

23 (8) Patronizing a juvenile prostitute, in violation of  
24 Section 11-18.1 of the Criminal Code of 1961 or the  
25 Criminal Code of 2012;

26 (9) Promoting juvenile prostitution or juvenile

1 pimping, in violation of Section 11-14.4 or 11-19.1 of the  
2 Criminal Code of 1961 or the Criminal Code of 2012;

3 (10) promoting juvenile prostitution or exploitation  
4 of a child, in violation of Section 11-14.4 or 11-19.2 of  
5 the Criminal Code of 1961 or the Criminal Code of 2012;

6 (11) Child pornography, in violation of Section  
7 11-20.1 of the Criminal Code of 1961 or the Criminal Code  
8 of 2012;

9 (11.5) Aggravated child pornography, in violation of  
10 Section 11-20.1B or 11-20.3 of the Criminal Code of 1961;

11 (12) Harmful material, in violation of Section 11-21 of  
12 the Criminal Code of 1961 or the Criminal Code of 2012;

13 (13) Criminal sexual assault, in violation of Section  
14 11-1.20 or 12-13 of the Criminal Code of 1961 or the  
15 Criminal Code of 2012;

16 (13.5) Grooming, in violation of Section 11-25 of the  
17 Criminal Code of 1961 or the Criminal Code of 2012;

18 (14) Aggravated criminal sexual assault, in violation  
19 of Section 11-1.30 or 12-14 of the Criminal Code of 1961 or  
20 the Criminal Code of 2012;

21 (14.5) Traveling to meet a minor or traveling to meet a  
22 child, in violation of Section 11-26 of the Criminal Code  
23 of 1961 or the Criminal Code of 2012;

24 (15) Predatory criminal sexual assault of a child, in  
25 violation of Section 11-1.40 or 12-14.1 of the Criminal  
26 Code of 1961 or the Criminal Code of 2012;

1           (16) Criminal sexual abuse, in violation of Section  
2           11-1.50 or 12-15 of the Criminal Code of 1961 or the  
3           Criminal Code of 2012;

4           (17) Aggravated criminal sexual abuse, in violation of  
5           Section 11-1.60 or 12-16 of the Criminal Code of 1961 or  
6           the Criminal Code of 2012;

7           (18) Ritualized abuse of a child, in violation of  
8           Section 12-33 of the Criminal Code of 1961 or the Criminal  
9           Code of 2012;

10           (19) An attempt to commit any of the offenses  
11           enumerated in this subsection (c); or

12           (20) Any felony offense under Illinois law that is  
13           sexually motivated.

14           (d) "Management" means treatment, and supervision of any  
15           sex offender that conforms to the standards created by the  
16           Board under Section 15.

17           (e) "Sexually motivated" means one or more of the facts of  
18           the underlying offense indicates conduct that is of a sexual  
19           nature or that shows an intent to engage in behavior of a  
20           sexual nature.

21           (f) "Sex offender evaluator" means a person licensed under  
22           the Sex Offender Evaluation and Treatment Provider Act to  
23           conduct sex offender evaluations.

24           (g) "Sex offender treatment provider" means a person  
25           licensed under the Sex Offender Evaluation and Treatment  
26           Provider Act to provide sex offender treatment services.

1 (h) "Associate sex offender provider" means a person  
2 licensed under the Sex Offender Evaluation and Treatment  
3 Provider Act to provide sex offender evaluations and to provide  
4 sex offender treatment under the supervision of a licensed sex  
5 offender evaluator or a licensed sex offender treatment  
6 provider.

7 (Source: P.A. 96-1551, eff. 7-1-11; 97-1098, eff. 1-1-13;  
8 97-1150, eff. 1-25-13.)

9 Section 10. The Criminal Code of 2012 is amended by  
10 changing Sections 11-9.3, 11-25, and 11-26 as follows:

11 (720 ILCS 5/11-9.3)

12 Sec. 11-9.3. Presence within school zone by child sex  
13 offenders prohibited; approaching, contacting, residing with,  
14 or communicating with a child within certain places by child  
15 sex offenders prohibited.

16 (a) It is unlawful for a child sex offender to knowingly be  
17 present in any school building, on real property comprising any  
18 school, or in any conveyance owned, leased, or contracted by a  
19 school to transport students to or from school or a school  
20 related activity when persons under the age of 18 are present  
21 in the building, on the grounds or in the conveyance, unless  
22 the offender is a parent or guardian of a student attending the  
23 school and the parent or guardian is: (i) attending a  
24 conference at the school with school personnel to discuss the

1 progress of his or her child academically or socially, (ii)  
2 participating in child review conferences in which evaluation  
3 and placement decisions may be made with respect to his or her  
4 child regarding special education services, or (iii) attending  
5 conferences to discuss other student issues concerning his or  
6 her child such as retention and promotion and notifies the  
7 principal of the school of his or her presence at the school or  
8 unless the offender has permission to be present from the  
9 superintendent or the school board or in the case of a private  
10 school from the principal. In the case of a public school, if  
11 permission is granted, the superintendent or school board  
12 president must inform the principal of the school where the sex  
13 offender will be present. Notification includes the nature of  
14 the sex offender's visit and the hours in which the sex  
15 offender will be present in the school. The sex offender is  
16 responsible for notifying the principal's office when he or she  
17 arrives on school property and when he or she departs from  
18 school property. If the sex offender is to be present in the  
19 vicinity of children, the sex offender has the duty to remain  
20 under the direct supervision of a school official.

21 (a-5) It is unlawful for a child sex offender to knowingly  
22 be present within 100 feet of a site posted as a pick-up or  
23 discharge stop for a conveyance owned, leased, or contracted by  
24 a school to transport students to or from school or a school  
25 related activity when one or more persons under the age of 18  
26 are present at the site.

1 (a-10) It is unlawful for a child sex offender to knowingly  
2 be present in any public park building, a playground or  
3 recreation area within any publicly accessible privately owned  
4 building, or on real property comprising any public park when  
5 persons under the age of 18 are present in the building or on  
6 the grounds and to approach, contact, or communicate with a  
7 child under 18 years of age, unless the offender is a parent or  
8 guardian of a person under 18 years of age present in the  
9 building or on the grounds.

10 (b) It is unlawful for a child sex offender to knowingly  
11 loiter within 500 feet of a school building or real property  
12 comprising any school while persons under the age of 18 are  
13 present in the building or on the grounds, unless the offender  
14 is a parent or guardian of a student attending the school and  
15 the parent or guardian is: (i) attending a conference at the  
16 school with school personnel to discuss the progress of his or  
17 her child academically or socially, (ii) participating in child  
18 review conferences in which evaluation and placement decisions  
19 may be made with respect to his or her child regarding special  
20 education services, or (iii) attending conferences to discuss  
21 other student issues concerning his or her child such as  
22 retention and promotion and notifies the principal of the  
23 school of his or her presence at the school or has permission  
24 to be present from the superintendent or the school board or in  
25 the case of a private school from the principal. In the case of  
26 a public school, if permission is granted, the superintendent



1 or school board president must inform the principal of the  
2 school where the sex offender will be present. Notification  
3 includes the nature of the sex offender's visit and the hours  
4 in which the sex offender will be present in the school. The  
5 sex offender is responsible for notifying the principal's  
6 office when he or she arrives on school property and when he or  
7 she departs from school property. If the sex offender is to be  
8 present in the vicinity of children, the sex offender has the  
9 duty to remain under the direct supervision of a school  
10 official.

11 (b-2) It is unlawful for a child sex offender to knowingly  
12 loiter on a public way within 500 feet of a public park  
13 building or real property comprising any public park while  
14 persons under the age of 18 are present in the building or on  
15 the grounds and to approach, contact, or communicate with a  
16 child under 18 years of age, unless the offender is a parent or  
17 guardian of a person under 18 years of age present in the  
18 building or on the grounds.

19 (b-5) It is unlawful for a child sex offender to knowingly  
20 reside within 500 feet of a school building or the real  
21 property comprising any school that persons under the age of 18  
22 attend. Nothing in this subsection (b-5) prohibits a child sex  
23 offender from residing within 500 feet of a school building or  
24 the real property comprising any school that persons under 18  
25 attend if the property is owned by the child sex offender and  
26 was purchased before July 7, 2000 (the effective date of Public

1 Act 91-911).

2 (b-10) It is unlawful for a child sex offender to knowingly  
3 reside within 500 feet of a playground, child care institution,  
4 day care center, part day child care facility, day care home,  
5 group day care home, or a facility providing programs or  
6 services exclusively directed toward persons under 18 years of  
7 age. Nothing in this subsection (b-10) prohibits a child sex  
8 offender from residing within 500 feet of a playground or a  
9 facility providing programs or services exclusively directed  
10 toward persons under 18 years of age if the property is owned  
11 by the child sex offender and was purchased before July 7,  
12 2000. Nothing in this subsection (b-10) prohibits a child sex  
13 offender from residing within 500 feet of a child care  
14 institution, day care center, or part day child care facility  
15 if the property is owned by the child sex offender and was  
16 purchased before June 26, 2006. Nothing in this subsection  
17 (b-10) prohibits a child sex offender from residing within 500  
18 feet of a day care home or group day care home if the property  
19 is owned by the child sex offender and was purchased before  
20 August 14, 2008 (the effective date of Public Act 95-821).

21 (b-15) It is unlawful for a child sex offender to knowingly  
22 reside within 500 feet of the victim of the sex offense.  
23 Nothing in this subsection (b-15) prohibits a child sex  
24 offender from residing within 500 feet of the victim if the  
25 property in which the child sex offender resides is owned by  
26 the child sex offender and was purchased before August 22,

1 2002.

2 This subsection (b-15) does not apply if the victim of the  
3 sex offense is 21 years of age or older.

4 (b-20) It is unlawful for a child sex offender to knowingly  
5 communicate, other than for a lawful purpose under Illinois  
6 law, using the Internet or any other digital media, with a  
7 person under 18 years of age or with a person whom he or she  
8 believes to be a person under 18 years of age, unless the  
9 offender is a parent or guardian of the person under 18 years  
10 of age.

11 (c) It is unlawful for a child sex offender to knowingly  
12 operate, manage, be employed by, volunteer at, be associated  
13 with, or knowingly be present at any: (i) facility providing  
14 programs or services exclusively directed toward persons under  
15 the age of 18; (ii) day care center; (iii) part day child care  
16 facility; (iv) child care institution; (v) school providing  
17 before and after school programs for children under 18 years of  
18 age; (vi) day care home; or (vii) group day care home. This  
19 does not prohibit a child sex offender from owning the real  
20 property upon which the programs or services are offered or  
21 upon which the day care center, part day child care facility,  
22 child care institution, or school providing before and after  
23 school programs for children under 18 years of age is located,  
24 provided the child sex offender refrains from being present on  
25 the premises for the hours during which: (1) the programs or  
26 services are being offered or (2) the day care center, part day

1 child care facility, child care institution, or school  
2 providing before and after school programs for children under  
3 18 years of age, day care home, or group day care home is  
4 operated.

5 (c-2) It is unlawful for a child sex offender to  
6 participate in a holiday event involving children under 18  
7 years of age, including but not limited to distributing candy  
8 or other items to children on Halloween, wearing a Santa Claus  
9 costume on or preceding Christmas, being employed as a  
10 department store Santa Claus, or wearing an Easter Bunny  
11 costume on or preceding Easter. For the purposes of this  
12 subsection, child sex offender has the meaning as defined in  
13 this Section, but does not include as a sex offense under  
14 paragraph (2) of subsection (d) of this Section, the offense  
15 under subsection (c) of Section 11-1.50 of this Code. This  
16 subsection does not apply to a child sex offender who is a  
17 parent or guardian of children under 18 years of age that are  
18 present in the home and other non-familial minors are not  
19 present.

20 (c-5) It is unlawful for a child sex offender to knowingly  
21 operate, manage, be employed by, or be associated with any  
22 county fair when persons under the age of 18 are present.

23 (c-6) It is unlawful for a child sex offender who owns and  
24 resides at residential real estate to knowingly rent any  
25 residential unit within the same building in which he or she  
26 resides to a person who is the parent or guardian of a child or

1 children under 18 years of age. This subsection shall apply  
2 only to leases or other rental arrangements entered into after  
3 January 1, 2009 (the effective date of Public Act 95-820).

4 (c-7) It is unlawful for a child sex offender to knowingly  
5 offer or provide any programs or services to persons under 18  
6 years of age in his or her residence or the residence of  
7 another or in any facility for the purpose of offering or  
8 providing such programs or services, whether such programs or  
9 services are offered or provided by contract, agreement,  
10 arrangement, or on a volunteer basis.

11 (c-8) It is unlawful for a child sex offender to knowingly  
12 operate, whether authorized to do so or not, any of the  
13 following vehicles: (1) a vehicle which is specifically  
14 designed, constructed or modified and equipped to be used for  
15 the retail sale of food or beverages, including but not limited  
16 to an ice cream truck; (2) an authorized emergency vehicle; or  
17 (3) a rescue vehicle.

18 (d) Definitions. In this Section:

19 (1) "Child sex offender" means any person who:

20 (i) has been charged under Illinois law, or any  
21 substantially similar federal law or law of another  
22 state, with a sex offense set forth in paragraph (2) of  
23 this subsection (d) or the attempt to commit an  
24 included sex offense, and the victim is a person under  
25 18 years of age at the time of the offense; and:

26 (A) is convicted of such offense or an attempt

1 to commit such offense; or

2 (B) is found not guilty by reason of insanity  
3 of such offense or an attempt to commit such  
4 offense; or

5 (C) is found not guilty by reason of insanity  
6 pursuant to subsection (c) of Section 104-25 of the  
7 Code of Criminal Procedure of 1963 of such offense  
8 or an attempt to commit such offense; or

9 (D) is the subject of a finding not resulting  
10 in an acquittal at a hearing conducted pursuant to  
11 subsection (a) of Section 104-25 of the Code of  
12 Criminal Procedure of 1963 for the alleged  
13 commission or attempted commission of such  
14 offense; or

15 (E) is found not guilty by reason of insanity  
16 following a hearing conducted pursuant to a  
17 federal law or the law of another state  
18 substantially similar to subsection (c) of Section  
19 104-25 of the Code of Criminal Procedure of 1963 of  
20 such offense or of the attempted commission of such  
21 offense; or

22 (F) is the subject of a finding not resulting  
23 in an acquittal at a hearing conducted pursuant to  
24 a federal law or the law of another state  
25 substantially similar to subsection (a) of Section  
26 104-25 of the Code of Criminal Procedure of 1963

1 for the alleged violation or attempted commission  
2 of such offense; or

3 (ii) is certified as a sexually dangerous person  
4 pursuant to the Illinois Sexually Dangerous Persons  
5 Act, or any substantially similar federal law or the  
6 law of another state, when any conduct giving rise to  
7 such certification is committed or attempted against a  
8 person less than 18 years of age; or

9 (iii) is subject to the provisions of Section 2 of  
10 the Interstate Agreements on Sexually Dangerous  
11 Persons Act.

12 Convictions that result from or are connected with the  
13 same act, or result from offenses committed at the same  
14 time, shall be counted for the purpose of this Section as  
15 one conviction. Any conviction set aside pursuant to law is  
16 not a conviction for purposes of this Section.

17 (2) Except as otherwise provided in paragraph (2.5),  
18 "sex offense" means:

19 (i) A violation of any of the following Sections of  
20 the Criminal Code of 1961 or the Criminal Code of 2012:  
21 10-4 (forcible detention), 10-7 (aiding or abetting  
22 child abduction under Section 10-5(b)(10)),  
23 10-5(b)(10) (child luring), 11-1.40 (predatory  
24 criminal sexual assault of a child), 11-6 (indecent  
25 solicitation of a child), 11-6.5 (indecent  
26 solicitation of an adult), 11-9.1 (sexual exploitation

1 of a child), 11-9.2 (custodial sexual misconduct),  
2 11-9.5 (sexual misconduct with a person with a  
3 disability), 11-11 (sexual relations within families),  
4 11-14.3(a)(1) (promoting prostitution by advancing  
5 prostitution), 11-14.3(a)(2)(A) (promoting  
6 prostitution by profiting from prostitution by  
7 compelling a person to be a prostitute),  
8 11-14.3(a)(2)(C) (promoting prostitution by profiting  
9 from prostitution by means other than as described in  
10 subparagraphs (A) and (B) of paragraph (2) of  
11 subsection (a) of Section 11-14.3), 11-14.4 (promoting  
12 juvenile prostitution), 11-18.1 (patronizing a  
13 juvenile prostitute), 11-20.1 (child pornography),  
14 11-20.1B (aggravated child pornography), 11-21  
15 (harmful material), 11-25 (grooming), 11-26 (traveling  
16 to meet a minor or traveling to meet a child), 12-33  
17 (ritualized abuse of a child), 11-20 (obscenity) (when  
18 that offense was committed in any school, on real  
19 property comprising any school, in any conveyance  
20 owned, leased, or contracted by a school to transport  
21 students to or from school or a school related  
22 activity, or in a public park), 11-30 (public  
23 indecency) (when committed in a school, on real  
24 property comprising a school, in any conveyance owned,  
25 leased, or contracted by a school to transport students  
26 to or from school or a school related activity, or in a



1 public park). An attempt to commit any of these  
2 offenses.

3 (ii) A violation of any of the following Sections  
4 of the Criminal Code of 1961 or the Criminal Code of  
5 2012, when the victim is a person under 18 years of  
6 age: 11-1.20 (criminal sexual assault), 11-1.30  
7 (aggravated criminal sexual assault), 11-1.50  
8 (criminal sexual abuse), 11-1.60 (aggravated criminal  
9 sexual abuse). An attempt to commit any of these  
10 offenses.

11 (iii) A violation of any of the following Sections  
12 of the Criminal Code of 1961 or the Criminal Code of  
13 2012, when the victim is a person under 18 years of age  
14 and the defendant is not a parent of the victim:

15 10-1 (kidnapping),  
16 10-2 (aggravated kidnapping),  
17 10-3 (unlawful restraint),  
18 10-3.1 (aggravated unlawful restraint),  
19 11-9.1(A) (permitting sexual abuse of a child).

20 An attempt to commit any of these offenses.

21 (iv) A violation of any former law of this State  
22 substantially equivalent to any offense listed in  
23 clause (2)(i) or (2)(ii) of subsection (d) of this  
24 Section.

25 (2.5) For the purposes of subsections (b-5) and (b-10)  
26 only, a sex offense means:

1 (i) A violation of any of the following Sections of  
2 the Criminal Code of 1961 or the Criminal Code of 2012:

3 10-5(b)(10) (child luring), 10-7 (aiding or  
4 abetting child abduction under Section 10-5(b)(10)),  
5 11-1.40 (predatory criminal sexual assault of a  
6 child), 11-6 (indecent solicitation of a child),  
7 11-6.5 (indecent solicitation of an adult), 11-9.2  
8 (custodial sexual misconduct), 11-9.5 (sexual  
9 misconduct with a person with a disability), 11-11  
10 (sexual relations within families), 11-14.3(a)(1)  
11 (promoting prostitution by advancing prostitution),  
12 11-14.3(a)(2)(A) (promoting prostitution by profiting  
13 from prostitution by compelling a person to be a  
14 prostitute), 11-14.3(a)(2)(C) (promoting prostitution  
15 by profiting from prostitution by means other than as  
16 described in subparagraphs (A) and (B) of paragraph (2)  
17 of subsection (a) of Section 11-14.3), 11-14.4  
18 (promoting juvenile prostitution), 11-18.1  
19 (patronizing a juvenile prostitute), 11-20.1 (child  
20 pornography), 11-20.1B (aggravated child pornography),  
21 11-25 (grooming), 11-26 (traveling to meet a minor or  
22 traveling to meet a child), or 12-33 (ritualized abuse  
23 of a child). An attempt to commit any of these  
24 offenses.

25 (ii) A violation of any of the following Sections  
26 of the Criminal Code of 1961 or the Criminal Code of

1           2012, when the victim is a person under 18 years of  
2           age: 11-1.20 (criminal sexual assault), 11-1.30  
3           (aggravated criminal sexual assault), 11-1.60  
4           (aggravated criminal sexual abuse), and subsection (a)  
5           of Section 11-1.50 (criminal sexual abuse). An attempt  
6           to commit any of these offenses.

7           (iii) A violation of any of the following Sections  
8           of the Criminal Code of 1961 or the Criminal Code of  
9           2012, when the victim is a person under 18 years of age  
10          and the defendant is not a parent of the victim:

11                 10-1 (kidnapping),

12                 10-2 (aggravated kidnapping),

13                 10-3 (unlawful restraint),

14                 10-3.1 (aggravated unlawful restraint),

15                 11-9.1(A) (permitting sexual abuse of a child).

16           An attempt to commit any of these offenses.

17           (iv) A violation of any former law of this State  
18           substantially equivalent to any offense listed in this  
19           paragraph (2.5) of this subsection.

20           (3) A conviction for an offense of federal law or the  
21           law of another state that is substantially equivalent to  
22           any offense listed in paragraph (2) of subsection (d) of  
23           this Section shall constitute a conviction for the purpose  
24           of this Section. A finding or adjudication as a sexually  
25           dangerous person under any federal law or law of another  
26           state that is substantially equivalent to the Sexually

1 Dangerous Persons Act shall constitute an adjudication for  
2 the purposes of this Section.

3 (4) "Authorized emergency vehicle", "rescue vehicle",  
4 and "vehicle" have the meanings ascribed to them in  
5 Sections 1-105, 1-171.8 and 1-217, respectively, of the  
6 Illinois Vehicle Code.

7 (5) "Child care institution" has the meaning ascribed  
8 to it in Section 2.06 of the Child Care Act of 1969.

9 (6) "Day care center" has the meaning ascribed to it in  
10 Section 2.09 of the Child Care Act of 1969.

11 (7) "Day care home" has the meaning ascribed to it in  
12 Section 2.18 of the Child Care Act of 1969.

13 (8) "Facility providing programs or services directed  
14 towards persons under the age of 18" means any facility  
15 providing programs or services exclusively directed  
16 towards persons under the age of 18.

17 (9) "Group day care home" has the meaning ascribed to  
18 it in Section 2.20 of the Child Care Act of 1969.

19 (10) "Internet" has the meaning set forth in Section  
20 16-0.1 of this Code.

21 (11) "Loiter" means:

22 (i) Standing, sitting idly, whether or not the  
23 person is in a vehicle, or remaining in or around  
24 school or public park property.

25 (ii) Standing, sitting idly, whether or not the  
26 person is in a vehicle, or remaining in or around

1 school or public park property, for the purpose of  
2 committing or attempting to commit a sex offense.

3 (iii) Entering or remaining in a building in or  
4 around school property, other than the offender's  
5 residence.

6 (12) "Part day child care facility" has the meaning  
7 ascribed to it in Section 2.10 of the Child Care Act of  
8 1969.

9 (13) "Playground" means a piece of land owned or  
10 controlled by a unit of local government that is designated  
11 by the unit of local government for use solely or primarily  
12 for children's recreation.

13 (14) "Public park" includes a park, forest preserve,  
14 bikeway, trail, or conservation area under the  
15 jurisdiction of the State or a unit of local government.

16 (15) "School" means a public or private preschool or  
17 elementary or secondary school.

18 (16) "School official" means the principal, a teacher,  
19 or any other certified employee of the school, the  
20 superintendent of schools or a member of the school board.

21 (e) For the purposes of this Section, the 500 feet distance  
22 shall be measured from: (1) the edge of the property of the  
23 school building or the real property comprising the school that  
24 is closest to the edge of the property of the child sex  
25 offender's residence or where he or she is loitering, and (2)  
26 the edge of the property comprising the public park building or

1 the real property comprising the public park, playground, child  
2 care institution, day care center, part day child care  
3 facility, or facility providing programs or services  
4 exclusively directed toward persons under 18 years of age, or a  
5 victim of the sex offense who is under 21 years of age, to the  
6 edge of the child sex offender's place of residence or place  
7 where he or she is loitering.

8 (f) Sentence. A person who violates this Section is guilty  
9 of a Class 4 felony.

10 (Source: P.A. 97-698, eff. 1-1-13; 97-699, eff. 1-1-13;  
11 97-1150, eff. 1-25-13; 98-266, eff. 1-1-14.)

12 (720 ILCS 5/11-25)

13 Sec. 11-25. Grooming.

14 (a) A person commits grooming when he or she knowingly uses  
15 a computer on-line service, Internet service, local bulletin  
16 board service, or any other device capable of electronic data  
17 storage or transmission to seduce, solicit, lure, or entice, or  
18 attempt to seduce, solicit, lure, or entice, a child, a child's  
19 guardian, or another person believed by the person to be a  
20 child or a child's guardian, to commit any sex offense as  
21 defined in Section 2 of the Sex Offender Registration Act, to  
22 distribute photographs depicting the sex organs of the child,  
23 or to otherwise engage in any unlawful sexual conduct with a  
24 child or with another person believed by the person to be a  
25 child. As used in this Section, "child" means a person under 17

1 years of age.

2 (b) Sentence. Grooming is a Class 4 felony.

3 (Source: P.A. 98-919, eff. 1-1-15.)

4 (720 ILCS 5/11-26)

5 Sec. 11-26. Traveling to meet a child ~~minor~~.

6 (a) A person commits ~~the offense of~~ traveling to meet a  
7 child ~~minor~~ when he or she travels any distance either within  
8 this State, to this State, or from this State by any means,  
9 attempts to do so, or causes another to do so or attempt to do  
10 so for the purpose of engaging in any sex offense as defined in  
11 Section 2 of the Sex Offender Registration Act, or to otherwise  
12 engage in other unlawful sexual conduct with a child or with  
13 another person believed by the person to be a child after using  
14 a computer on-line service, Internet service, local bulletin  
15 board service, or any other device capable of electronic data  
16 storage or transmission to seduce, solicit, lure, or entice, or  
17 to attempt to seduce, solicit, lure, or entice, a child or a  
18 child's guardian, or another person believed by the person to  
19 be a child or a child's guardian, for such purpose. As used in  
20 this Section, "child" means a person under 17 years of age.

21 (b) Sentence. Traveling to meet a child ~~minor~~ is a Class 3  
22 felony.

23 (Source: P.A. 95-901, eff. 1-1-09.)

24 Section 15. The Sex Offender Registration Act is amended by

1 changing Section 2 as follows:

2 (730 ILCS 150/2) (from Ch. 38, par. 222)

3 Sec. 2. Definitions.

4 (A) As used in this Article, "sex offender" means any  
5 person who is:

6 (1) charged pursuant to Illinois law, or any  
7 substantially similar federal, Uniform Code of Military  
8 Justice, sister state, or foreign country law, with a sex  
9 offense set forth in subsection (B) of this Section or the  
10 attempt to commit an included sex offense, and:

11 (a) is convicted of such offense or an attempt to  
12 commit such offense; or

13 (b) is found not guilty by reason of insanity of  
14 such offense or an attempt to commit such offense; or

15 (c) is found not guilty by reason of insanity  
16 pursuant to Section 104-25(c) of the Code of Criminal  
17 Procedure of 1963 of such offense or an attempt to  
18 commit such offense; or

19 (d) is the subject of a finding not resulting in an  
20 acquittal at a hearing conducted pursuant to Section  
21 104-25(a) of the Code of Criminal Procedure of 1963 for  
22 the alleged commission or attempted commission of such  
23 offense; or

24 (e) is found not guilty by reason of insanity  
25 following a hearing conducted pursuant to a federal,



1 Uniform Code of Military Justice, sister state, or  
2 foreign country law substantially similar to Section  
3 104-25(c) of the Code of Criminal Procedure of 1963 of  
4 such offense or of the attempted commission of such  
5 offense; or

6 (f) is the subject of a finding not resulting in an  
7 acquittal at a hearing conducted pursuant to a federal,  
8 Uniform Code of Military Justice, sister state, or  
9 foreign country law substantially similar to Section  
10 104-25(a) of the Code of Criminal Procedure of 1963 for  
11 the alleged violation or attempted commission of such  
12 offense; or

13 (2) declared as a sexually dangerous person pursuant to  
14 the Illinois Sexually Dangerous Persons Act, or any  
15 substantially similar federal, Uniform Code of Military  
16 Justice, sister state, or foreign country law; or

17 (3) subject to the provisions of Section 2 of the  
18 Interstate Agreements on Sexually Dangerous Persons Act;  
19 or

20 (4) found to be a sexually violent person pursuant to  
21 the Sexually Violent Persons Commitment Act or any  
22 substantially similar federal, Uniform Code of Military  
23 Justice, sister state, or foreign country law; or

24 (5) adjudicated a juvenile delinquent as the result of  
25 committing or attempting to commit an act which, if  
26 committed by an adult, would constitute any of the offenses

1 specified in item (B), (C), or (C-5) of this Section or a  
2 violation of any substantially similar federal, Uniform  
3 Code of Military Justice, sister state, or foreign country  
4 law, or found guilty under Article V of the Juvenile Court  
5 Act of 1987 of committing or attempting to commit an act  
6 which, if committed by an adult, would constitute any of  
7 the offenses specified in item (B), (C), or (C-5) of this  
8 Section or a violation of any substantially similar  
9 federal, Uniform Code of Military Justice, sister state, or  
10 foreign country law.

11 Convictions that result from or are connected with the same  
12 act, or result from offenses committed at the same time, shall  
13 be counted for the purpose of this Article as one conviction.  
14 Any conviction set aside pursuant to law is not a conviction  
15 for purposes of this Article.

16 For purposes of this Section, "convicted" shall have the  
17 same meaning as "adjudicated".

18 (B) As used in this Article, "sex offense" means:

19 (1) A violation of any of the following Sections of the  
20 Criminal Code of 1961 or the Criminal Code of 2012:

21 11-20.1 (child pornography),

22 11-20.1B or 11-20.3 (aggravated child  
23 pornography),

24 11-6 (indecent solicitation of a child),

25 11-9.1 (sexual exploitation of a child),

26 11-9.2 (custodial sexual misconduct),

1 11-9.5 (sexual misconduct with a person with a  
2 disability),

3 11-14.4 (promoting juvenile prostitution),

4 11-15.1 (soliciting for a juvenile prostitute),

5 11-18.1 (patronizing a juvenile prostitute),

6 11-17.1 (keeping a place of juvenile  
7 prostitution),

8 11-19.1 (juvenile pimping),

9 11-19.2 (exploitation of a child),

10 11-25 (grooming),

11 11-26 (traveling to meet a minor or traveling to  
12 meet a child),

13 11-1.20 or 12-13 (criminal sexual assault),

14 11-1.30 or 12-14 (aggravated criminal sexual  
15 assault),

16 11-1.40 or 12-14.1 (predatory criminal sexual  
17 assault of a child),

18 11-1.50 or 12-15 (criminal sexual abuse),

19 11-1.60 or 12-16 (aggravated criminal sexual  
20 abuse),

21 12-33 (ritualized abuse of a child).

22 An attempt to commit any of these offenses.

23 (1.5) A violation of any of the following Sections of  
24 the Criminal Code of 1961 or the Criminal Code of 2012,  
25 when the victim is a person under 18 years of age, the  
26 defendant is not a parent of the victim, the offense was

1 sexually motivated as defined in Section 10 of the Sex  
2 Offender Evaluation and Treatment Act, and the offense was  
3 committed on or after January 1, 1996:

4 10-1 (kidnapping),

5 10-2 (aggravated kidnapping),

6 10-3 (unlawful restraint),

7 10-3.1 (aggravated unlawful restraint).

8 If the offense was committed before January 1, 1996, it  
9 is a sex offense requiring registration only when the  
10 person is convicted of any felony after July 1, 2011, and  
11 paragraph (2.1) of subsection (c) of Section 3 of this Act  
12 applies.

13 (1.6) First degree murder under Section 9-1 of the  
14 Criminal Code of 1961 or the Criminal Code of 2012,  
15 provided the offense was sexually motivated as defined in  
16 Section 10 of the Sex Offender Management Board Act.

17 (1.7) (Blank).

18 (1.8) A violation or attempted violation of Section  
19 11-11 (sexual relations within families) of the Criminal  
20 Code of 1961 or the Criminal Code of 2012, and the offense  
21 was committed on or after June 1, 1997. If the offense was  
22 committed before June 1, 1997, it is a sex offense  
23 requiring registration only when the person is convicted of  
24 any felony after July 1, 2011, and paragraph (2.1) of  
25 subsection (c) of Section 3 of this Act applies.

26 (1.9) Child abduction under paragraph (10) of

1 subsection (b) of Section 10-5 of the Criminal Code of 1961  
2 or the Criminal Code of 2012 committed by luring or  
3 attempting to lure a child under the age of 16 into a motor  
4 vehicle, building, house trailer, or dwelling place  
5 without the consent of the parent or lawful custodian of  
6 the child for other than a lawful purpose and the offense  
7 was committed on or after January 1, 1998, provided the  
8 offense was sexually motivated as defined in Section 10 of  
9 the Sex Offender Management Board Act. If the offense was  
10 committed before January 1, 1998, it is a sex offense  
11 requiring registration only when the person is convicted of  
12 any felony after July 1, 2011, and paragraph (2.1) of  
13 subsection (c) of Section 3 of this Act applies.

14 (1.10) A violation or attempted violation of any of the  
15 following Sections of the Criminal Code of 1961 or the  
16 Criminal Code of 2012 when the offense was committed on or  
17 after July 1, 1999:

18 10-4 (forcible detention, if the victim is under 18  
19 years of age), provided the offense was sexually  
20 motivated as defined in Section 10 of the Sex Offender  
21 Management Board Act,

22 11-6.5 (indecent solicitation of an adult),

23 11-14.3 that involves soliciting for a prostitute,  
24 or 11-15 (soliciting for a prostitute, if the victim is  
25 under 18 years of age),

26 subdivision (a)(2)(A) or (a)(2)(B) of Section

1 11-14.3, or Section 11-16 (pandering, if the victim is  
2 under 18 years of age),

3 11-18 (patronizing a prostitute, if the victim is  
4 under 18 years of age),

5 subdivision (a)(2)(C) of Section 11-14.3, or  
6 Section 11-19 (pimping, if the victim is under 18 years  
7 of age).

8 If the offense was committed before July 1, 1999, it is  
9 a sex offense requiring registration only when the person  
10 is convicted of any felony after July 1, 2011, and  
11 paragraph (2.1) of subsection (c) of Section 3 of this Act  
12 applies.

13 (1.11) A violation or attempted violation of any of the  
14 following Sections of the Criminal Code of 1961 or the  
15 Criminal Code of 2012 when the offense was committed on or  
16 after August 22, 2002:

17 11-9 or 11-30 (public indecency for a third or  
18 subsequent conviction).

19 If the third or subsequent conviction was imposed  
20 before August 22, 2002, it is a sex offense requiring  
21 registration only when the person is convicted of any  
22 felony after July 1, 2011, and paragraph (2.1) of  
23 subsection (c) of Section 3 of this Act applies.

24 (1.12) A violation or attempted violation of Section  
25 5.1 of the Wrongs to Children Act or Section 11-9.1A of the  
26 Criminal Code of 1961 or the Criminal Code of 2012

1 (permitting sexual abuse) when the offense was committed on  
2 or after August 22, 2002. If the offense was committed  
3 before August 22, 2002, it is a sex offense requiring  
4 registration only when the person is convicted of any  
5 felony after July 1, 2011, and paragraph (2.1) of  
6 subsection (c) of Section 3 of this Act applies.

7 (2) A violation of any former law of this State  
8 substantially equivalent to any offense listed in  
9 subsection (B) of this Section.

10 (C) A conviction for an offense of federal law, Uniform  
11 Code of Military Justice, or the law of another state or a  
12 foreign country that is substantially equivalent to any offense  
13 listed in subsections (B), (C), (E), and (E-5) of this Section  
14 shall constitute a conviction for the purpose of this Article.  
15 A finding or adjudication as a sexually dangerous person or a  
16 sexually violent person under any federal law, Uniform Code of  
17 Military Justice, or the law of another state or foreign  
18 country that is substantially equivalent to the Sexually  
19 Dangerous Persons Act or the Sexually Violent Persons  
20 Commitment Act shall constitute an adjudication for the  
21 purposes of this Article.

22 (C-5) A person at least 17 years of age at the time of the  
23 commission of the offense who is convicted of first degree  
24 murder under Section 9-1 of the Criminal Code of 1961 or the  
25 Criminal Code of 2012, against a person under 18 years of age,  
26 shall be required to register for natural life. A conviction

1 for an offense of federal, Uniform Code of Military Justice,  
2 sister state, or foreign country law that is substantially  
3 equivalent to any offense listed in subsection (C-5) of this  
4 Section shall constitute a conviction for the purpose of this  
5 Article. This subsection (C-5) applies to a person who  
6 committed the offense before June 1, 1996 if: (i) the person is  
7 incarcerated in an Illinois Department of Corrections facility  
8 on August 20, 2004 (the effective date of Public Act 93-977),  
9 or (ii) subparagraph (i) does not apply and the person is  
10 convicted of any felony after July 1, 2011, and paragraph (2.1)  
11 of subsection (c) of Section 3 of this Act applies.

12 (C-6) A person who is convicted or adjudicated delinquent  
13 of first degree murder as defined in Section 9-1 of the  
14 Criminal Code of 1961 or the Criminal Code of 2012, against a  
15 person 18 years of age or over, shall be required to register  
16 for his or her natural life. A conviction for an offense of  
17 federal, Uniform Code of Military Justice, sister state, or  
18 foreign country law that is substantially equivalent to any  
19 offense listed in subsection (C-6) of this Section shall  
20 constitute a conviction for the purpose of this Article. This  
21 subsection (C-6) does not apply to those individuals released  
22 from incarceration more than 10 years prior to January 1, 2012  
23 (the effective date of Public Act 97-154).

24 (D) As used in this Article, "law enforcement agency having  
25 jurisdiction" means the Chief of Police in each of the  
26 municipalities in which the sex offender expects to reside,



1 work, or attend school (1) upon his or her discharge, parole or  
2 release or (2) during the service of his or her sentence of  
3 probation or conditional discharge, or the Sheriff of the  
4 county, in the event no Police Chief exists or if the offender  
5 intends to reside, work, or attend school in an unincorporated  
6 area. "Law enforcement agency having jurisdiction" includes  
7 the location where out-of-state students attend school and  
8 where out-of-state employees are employed or are otherwise  
9 required to register.

10 (D-1) As used in this Article, "supervising officer" means  
11 the assigned Illinois Department of Corrections parole agent or  
12 county probation officer.

13 (E) As used in this Article, "sexual predator" means any  
14 person who, after July 1, 1999, is:

15 (1) Convicted for an offense of federal, Uniform Code  
16 of Military Justice, sister state, or foreign country law  
17 that is substantially equivalent to any offense listed in  
18 subsection (E) or (E-5) of this Section shall constitute a  
19 conviction for the purpose of this Article. Convicted of a  
20 violation or attempted violation of any of the following  
21 Sections of the Criminal Code of 1961 or the Criminal Code  
22 of 2012:

23 10-5.1 (luring of a minor),

24 11-14.4 that involves keeping a place of juvenile  
25 prostitution, or 11-17.1 (keeping a place of juvenile  
26 prostitution),

1           subdivision (a)(2) or (a)(3) of Section 11-14.4,  
2           or Section 11-19.1 (juvenile pimping),  
3           subdivision (a)(4) of Section 11-14.4, or Section  
4           11-19.2 (exploitation of a child),  
5           11-20.1 (child pornography),  
6           11-20.1B     or     11-20.3     (aggravated     child  
7           pornography),  
8           11-1.20 or 12-13 (criminal sexual assault),  
9           11-1.30   or   12-14   (aggravated   criminal   sexual  
10          assault),  
11          11-1.40   or   12-14.1   (predatory   criminal   sexual  
12          assault of a child),  
13          11-1.60   or   12-16   (aggravated   criminal   sexual  
14          abuse),  
15          12-33 (ritualized abuse of a child);  
16          (2) (blank);  
17          (3) declared as a sexually dangerous person pursuant to  
18          the Sexually Dangerous Persons Act or any substantially  
19          similar federal, Uniform Code of Military Justice, sister  
20          state, or foreign country law;  
21          (4) found to be a sexually violent person pursuant to  
22          the Sexually Violent Persons Commitment Act or any  
23          substantially similar federal, Uniform Code of Military  
24          Justice, sister state, or foreign country law;  
25          (5) convicted of a second or subsequent offense which  
26          requires registration pursuant to this Act. For purposes of

1           this paragraph (5), "convicted" shall include a conviction  
2           under any substantially similar Illinois, federal, Uniform  
3           Code of Military Justice, sister state, or foreign country  
4           law;

5           (6) (blank); or

6           (7) if the person was convicted of an offense set forth  
7           in this subsection (E) on or before July 1, 1999, the  
8           person is a sexual predator for whom registration is  
9           required only when the person is convicted of a felony  
10          offense after July 1, 2011, and paragraph (2.1) of  
11          subsection (c) of Section 3 of this Act applies.

12          (E-5) As used in this Article, "sexual predator" also means  
13          a person convicted of a violation or attempted violation of any  
14          of the following Sections of the Criminal Code of 1961 or the  
15          Criminal Code of 2012:

16               (1) Section 9-1 (first degree murder, when the victim  
17               was a person under 18 years of age and the defendant was at  
18               least 17 years of age at the time of the commission of the  
19               offense, provided the offense was sexually motivated as  
20               defined in Section 10 of the Sex Offender Management Board  
21               Act);

22               (2) Section 11-9.5 (sexual misconduct with a person  
23               with a disability);

24               (3) when the victim is a person under 18 years of age,  
25               the defendant is not a parent of the victim, the offense  
26               was sexually motivated as defined in Section 10 of the Sex

1 Offender Management Board Act, and the offense was  
2 committed on or after January 1, 1996: (A) Section 10-1  
3 (kidnapping), (B) Section 10-2 (aggravated kidnapping),  
4 (C) Section 10-3 (unlawful restraint), and (D) Section  
5 10-3.1 (aggravated unlawful restraint); and

6 (4) Section 10-5(b)(10) (child abduction committed by  
7 luring or attempting to lure a child under the age of 16  
8 into a motor vehicle, building, house trailer, or dwelling  
9 place without the consent of the parent or lawful custodian  
10 of the child for other than a lawful purpose and the  
11 offense was committed on or after January 1, 1998, provided  
12 the offense was sexually motivated as defined in Section 10  
13 of the Sex Offender Management Board Act).

14 (E-10) As used in this Article, "sexual predator" also  
15 means a person required to register in another State due to a  
16 conviction, adjudication or other action of any court  
17 triggering an obligation to register as a sex offender, sexual  
18 predator, or substantially similar status under the laws of  
19 that State.

20 (F) As used in this Article, "out-of-state student" means  
21 any sex offender, as defined in this Section, or sexual  
22 predator who is enrolled in Illinois, on a full-time or  
23 part-time basis, in any public or private educational  
24 institution, including, but not limited to, any secondary  
25 school, trade or professional institution, or institution of  
26 higher learning.

1 (G) As used in this Article, "out-of-state employee" means  
2 any sex offender, as defined in this Section, or sexual  
3 predator who works in Illinois, regardless of whether the  
4 individual receives payment for services performed, for a  
5 period of time of 10 or more days or for an aggregate period of  
6 time of 30 or more days during any calendar year. Persons who  
7 operate motor vehicles in the State accrue one day of  
8 employment time for any portion of a day spent in Illinois.

9 (H) As used in this Article, "school" means any public or  
10 private educational institution, including, but not limited  
11 to, any elementary or secondary school, trade or professional  
12 institution, or institution of higher education.

13 (I) As used in this Article, "fixed residence" means any  
14 and all places that a sex offender resides for an aggregate  
15 period of time of 5 or more days in a calendar year.

16 (J) As used in this Article, "Internet protocol address"  
17 means the string of numbers by which a location on the Internet  
18 is identified by routers or other computers connected to the  
19 Internet.

20 (Source: P.A. 96-301, eff. 8-11-09; 96-1089, eff. 1-1-11;  
21 96-1551, eff. 7-1-11; 97-154, eff. 1-1-12; 97-578, eff. 1-1-12;  
22 97-1073, eff. 1-1-13; 97-1098, eff. 1-1-13; 97-1109, eff.  
23 1-1-13; 97-1150, eff. 1-25-13.)