**Section 1280.50 Extension of Registration Period**

a) Extension

Whenever a sex offender fails to register for the period of time as required by Section 7 of the Sex Offender Registration Act [730 ILCS 150/7], the Director shall extend for 10 years the registration period of any sex offender.

b) Notice

1) The Department shall send a registered letter to the law enforcement agency where the sex offender last registered within 3 days after the extension of the registration period.

2) The sex offender shall obtain a copy of the letter from the law enforcement agency where the sex offender last registered.

3) When a sex offender signs for the letter notifying them of the extension, the law enforcement agency shall ensure the date received is indicated with the signature, and then shall retain one copy and return one to the Department.

c) Petition for Review

1) Upon receipt of notice that the registration period has been extended pursuant to Section 7 of the Sex Offender Registration Act [730 ILCS 150/7], the sex offender shall have 10 business days to petition the Department to review the circumstances surrounding the extension of the registration.

2) The sex offender shall complete any forms prescribed by the Department and provide any additional documentation requested (e.g. hospital release, rehab release, jail release, family death certificate, obituary, etc.) that is relevant and necessary to review the circumstances surrounding the extension of the registration.

3) As the result of such review:

A) If there is sufficient information to determine whether substantial justice has been done, the Director shall issue a final administrative decision regarding the extension of the registration;

B) If there is insufficient evidence to determine whether substantial justice has been done, the Director shall provide notice to the petitioner that they may request a hearing before an administrative law judge.

i) The petitioner shall request an administrative hearing within 30 days from the date notice is sent.

ii) The request for an administrative hearing must be in writing on forms made available by the Department through its website.

d) Administrative Hearing

1) The administrative law judge for contested hearings shall be an attorney licensed to practice law in Illinois appointed by the Director. The administrative law judge will be disqualified for bias or conflict of interest.

2) The procedures for the hearing shall be as described in Article 10 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 10] and as ordered by the administrative law judge (See 20 IAC 1200).

3) Within 90 days after the conclusion of the hearing, the administrative law judge shall issue a recommended decision.

4) The Director shall be provided with a copy of the entire record, including but not limited to the recommendation of the administrative law judge and shall issue a final administrative decision to the complainant regarding the extension of the registration.

e) Decisions rendered under this process are subject to the Administrative Review Law [50 ILCS 100/10-50].

(Source: Added at 46 Ill. Reg. 6803, effective April 12, 2022)