

1 AN ACT relating to sex offenders.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Sex Offender Residency Act.

6 Section 5. Definitions. In this Act:

7 "Locations where children are the primary occupants or  
8 users" includes, but is not limited to, public and private  
9 elementary and secondary schools and licensed day care  
10 centers.

11 "Sex offender" has the meaning ascribed to it in Section  
12 2 of the Sex Offender Registration Act. "Sex offender  
13 includes a sexually violent person and a sexual predator.

14 "Sexually violent person" has the meaning ascribed to it  
15 in Section 5 of the Sexually Violent Persons Commitment Act.

16 "Sexual predator" has the meaning ascribed to it Section  
17 2 of the Sex Offender Registration Act.

18 "Transitional housing" means housing intended to be  
19 occupied by a sex offender for 45 days or less immediately  
20 after release from incarceration.

21 Section 10. Rules for residency of sex offenders.

22 (a) The Department of Corrections, in consultation with  
23 the Prisoner Review Board, shall adopt rules establishing  
24 criteria to be considered in determining the permanent  
25 residence requirements for a sex offender released on  
26 mandatory supervised release or parole. Transitional housing  
27 is not subject to permanent residence requirements. The  
28 Department shall include in the rules:

29 (1) A general prohibition against allowing a sex  
30 offender to reside near locations where children are the

1 primary occupants or users;

2 (2) The bases upon which exceptions to the general  
3 prohibition required by paragraph (1) of this subsection  
4 (a) are authorized; and

5 (3) A process that allows communities that would be  
6 affected by a decision about the location of a sex  
7 offender's residence to be informed of the decision  
8 making process before the offender is released.

9 (b) Based upon the rules adopted under subsection (a) of  
10 this Section, the Department shall develop a decision matrix  
11 to be used in determining the permanent residence  
12 requirements for a sex offender.

13 Section 15. Review of residence.

14 (a) The Prisoner Review Board, in consultation with the  
15 Department of Corrections, shall adopt rules establishing  
16 criteria to be considered:

17 (1) In reviewing the proposed residence of a sex  
18 offender when determining conditions of parole or  
19 mandatory supervised release for that sex offender; and

20 (2) In determining the residence of a sex offender  
21 as a condition of parole or mandatory supervised release  
22 for that sex offender.

23 (b) The Board shall include in the rules:

24 (1) A general prohibition against allowing a sex  
25 offender to reside near locations where children are the  
26 primary occupants or users;

27 (2) The bases upon which exceptions to the general  
28 prohibition required by paragraph (1) of this subsection  
29 (b) are authorized; and

30 (3) A process that allows communities that would be  
31 affected by a decision about the location of a sex  
32 offender's residence to be informed of the  
33 decision-making process before the offender is released.

1           (c) Based upon the rules adopted under subsections (a)  
2 and (b) of this Section, the Board shall develop a decision  
3 matrix to be used in determining the specific residence for a  
4 sex offender.

5           Section 99. Effective date. This Act takes effect upon  
6 becoming law.