

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 includes
13 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 in
17 Section 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.