

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 1. Short title. This Act may be cited as the Child  
5 Murderer and Violent Offender Against Youth Registration Act.

6 Section 5. Definitions.

7 (a) As used in this Act, "violent offender against youth"  
8 means any person who is:

9 (1) charged pursuant to Illinois law, or any  
10 substantially similar federal, Uniform Code of Military  
11 Justice, sister state, or foreign country law, with a  
12 violent offense against youth set forth in subsection (b)  
13 of this Section or the attempt to commit an included  
14 violent offense against youth, and:

15 (A) is convicted of such offense or an attempt to  
16 commit such offense; or

17 (B) is found not guilty by reason of insanity of  
18 such offense or an attempt to commit such offense; or

19 (C) is found not guilty by reason of insanity  
20 pursuant to subsection (c) of Section 104-25 of the  
21 Code of Criminal Procedure of 1963 of such offense or  
22 an attempt to commit such offense; or

23 (D) is the subject of a finding not resulting in an  
24 acquittal at a hearing conducted pursuant to  
25 subsection (a) of Section 104-25 of the Code of  
26 Criminal Procedure of 1963 for the alleged commission  
27 or attempted commission of such offense; or

28 (E) is found not guilty by reason of insanity  
29 following a hearing conducted pursuant to a federal,  
30 Uniform Code of Military Justice, sister state, or  
31 foreign country law substantially similar to  
32 subsection (c) of Section 104-25 of the Code of

1 Criminal Procedure of 1963 of such offense or of the  
2 attempted commission of such offense; or

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

10 (2) adjudicated a juvenile delinquent as the result of  
11 committing or attempting to commit an act which, if  
12 committed by an adult, would constitute any of the offenses  
13 specified in subsection (b) or (c-5) of this Section or a  
14 violation of any substantially similar federal, Uniform  
15 Code of Military Justice, sister state, or foreign country  
16 law, or found guilty under Article V of the Juvenile Court  
17 Act of 1987 of committing or attempting to commit an act  
18 which, if committed by an adult, would constitute any of  
19 the offenses specified in subsection (b) or (c-5) of this  
20 Section or a violation of any substantially similar  
21 federal, Uniform Code of Military Justice, sister state, or  
22 foreign country law.

23 Convictions that result from or are connected with the same  
24 act, or result from offenses committed at the same time, shall  
25 be counted for the purpose of this Act as one conviction. Any  
26 conviction set aside pursuant to law is not a conviction for  
27 purposes of this Act.

28 For purposes of this Section, "convicted" shall have the  
29 same meaning as "adjudicated". For the purposes of this Act, a  
30 person who is defined as a violent offender against youth as a  
31 result of being adjudicated a juvenile delinquent under  
32 paragraph (2) of this subsection (a) upon attaining 17 years of  
33 age shall be considered as having committed the violent offense  
34 against youth on or after the 17th birthday of the violent  
35 offender against youth. Registration of juveniles upon  
36 attaining 17 years of age shall not extend the original

1 registration of 10 years from the date of conviction.

2 (b) As used in this Act, "violent offense against youth"  
3 means:

4 (1) A violation of any of the following Sections of the  
5 Criminal Code of 1961, when the victim is a person under 18  
6 years of age, the defendant is not a parent of the victim,  
7 and the offense was committed on or after January 1, 1996:

8 10-1 (kidnapping),

9 10-2 (aggravated kidnapping),

10 10-3 (unlawful restraint),

11 10-3.1 (aggravated unlawful restraint).

12 An attempt to commit any of these offenses.

13 (2) First degree murder under Section 9-1 of the  
14 Criminal Code of 1961, when the victim was a person under  
15 18 years of age and the defendant was at least 17 years of  
16 age at the time of the commission of the offense.

17 (3) Child abduction under paragraph (10) of  
18 subsection (b) of Section 10-5 of the Criminal Code of 1961  
19 committed by luring or attempting to lure a child under the  
20 age of 16 into a motor vehicle, building, house trailer, or  
21 dwelling place without the consent of the parent or lawful  
22 custodian of the child for other than a lawful purpose and  
23 the offense was committed on or after January 1, 1998.

24 (4) A violation or attempted violation of any of the  
25 following Sections of the Criminal Code of 1961 when the  
26 offense was committed on or after July 1, 1999:

27 10-4 (forcible detention, if the victim is under 18  
28 years of age).

29 (5) A violation of any former law of this State  
30 substantially equivalent to any offense listed in this  
31 subsection (b).

32 (c) A conviction for an offense of federal law, Uniform  
33 Code of Military Justice, or the law of another state or a  
34 foreign country that is substantially equivalent to any offense  
35 listed in subsections (b) and (c-5) of this Section shall  
36 constitute a conviction for the purpose of this Act.

1 (c-5) A person at least 17 years of age at the time of the  
2 commission of the offense who is convicted of first degree  
3 murder under Section 9-1 of the Criminal Code of 1961, against  
4 a person under 18 years of age, shall be required to register  
5 for natural life. A conviction for an offense of federal,  
6 Uniform Code of Military Justice, sister state, or foreign  
7 country law that is substantially equivalent to any offense  
8 listed in this subsection (c-5) shall constitute a conviction  
9 for the purpose of this Act. This subsection (c-5) applies to a  
10 person who committed the offense before June 1, 1996 only if  
11 the person is incarcerated in an Illinois Department of  
12 Corrections facility on August 20, 2004.

13 (d) As used in this Act, "law enforcement agency having  
14 jurisdiction" means the Chief of Police in each of the  
15 municipalities in which the violent offender against youth  
16 expects to reside, work, or attend school (1) upon his or her  
17 discharge, parole or release or (2) during the service of his  
18 or her sentence of probation or conditional discharge, or the  
19 Sheriff of the county, in the event no Police Chief exists or  
20 if the offender intends to reside, work, or attend school in an  
21 unincorporated area. "Law enforcement agency having  
22 jurisdiction" includes the location where out-of-state  
23 students attend school and where out-of-state employees are  
24 employed or are otherwise required to register.

25 (e) As used in this Act, "supervising officer" means the  
26 assigned Illinois Department of Corrections parole agent or  
27 county probation officer.

28 (f) As used in this Act, "out-of-state student" means any  
29 violent offender against youth who is enrolled in Illinois, on  
30 a full-time or part-time basis, in any public or private  
31 educational institution, including, but not limited to, any  
32 secondary school, trade or professional institution, or  
33 institution of higher learning.

34 (g) As used in this Act, "out-of-state employee" means any  
35 violent offender against youth who works in Illinois,  
36 regardless of whether the individual receives payment for

1 services performed, for a period of time of 10 or more days or  
2 for an aggregate period of time of 30 or more days during any  
3 calendar year. Persons who operate motor vehicles in the State  
4 accrue one day of employment time for any portion of a day  
5 spent in Illinois.

6 (h) As used in this Act, "school" means any public or  
7 private educational institution, including, but not limited  
8 to, any elementary or secondary school, trade or professional  
9 institution, or institution of higher education.

10 (i) As used in this Act, "fixed residence" means any and  
11 all places that a violent offender against youth resides for an  
12 aggregate period of time of 5 or more days in a calendar year.

13 Section 10. Duty to register.

14 (a) A violent offender against youth shall, within the time  
15 period prescribed in subsections (b) and (c), register in  
16 person and provide accurate information as required by the  
17 Department of State Police. Such information shall include a  
18 current photograph, current address, current place of  
19 employment, the employer's telephone number, school attended,  
20 extensions of the time period for registering as provided in  
21 this Act and, if an extension was granted, the reason why the  
22 extension was granted and the date the violent offender against  
23 youth was notified of the extension. A person who has been  
24 adjudicated a juvenile delinquent for an act which, if  
25 committed by an adult, would be a violent offense against youth  
26 shall register as an adult violent offender against youth  
27 within 10 days after attaining 17 years of age. The violent  
28 offender against youth shall register:

29 (1) with the chief of police in the municipality in  
30 which he or she resides or is temporarily domiciled for a  
31 period of time of 5 or more days, unless the municipality  
32 is the City of Chicago, in which case he or she shall  
33 register at the Chicago Police Department Headquarters; or

34 (2) with the sheriff in the county in which he or she  
35 resides or is temporarily domiciled for a period of time of

1           5 or more days in an unincorporated area or, if  
2           incorporated, no police chief exists.

3           If the violent offender against youth is employed at or  
4           attends an institution of higher education, he or she shall  
5           register:

6                   (i) with the chief of police in the municipality in  
7                   which he or she is employed at or attends an institution of  
8                   higher education, unless the municipality is the City of  
9                   Chicago, in which case he or she shall register at the  
10                  Chicago Police Department Headquarters; or

11                   (ii) with the sheriff in the county in which he or she  
12                   is employed or attends an institution of higher education  
13                   located in an unincorporated area, or if incorporated, no  
14                   police chief exists.

15           For purposes of this Act, the place of residence or  
16           temporary domicile is defined as any and all places where the  
17           violent offender against youth resides for an aggregate period  
18           of time of 5 or more days during any calendar year. Any person  
19           required to register under this Act who lacks a fixed address  
20           or temporary domicile must notify, in person, the agency of  
21           jurisdiction of his or her last known address within 5 days  
22           after ceasing to have a fixed residence.

23           Any person who lacks a fixed residence must report weekly,  
24           in person, with the sheriff's office of the county in which he  
25           or she is located in an unincorporated area, or with the chief  
26           of police in the municipality in which he or she is located.  
27           The agency of jurisdiction will document each weekly  
28           registration to include all the locations where the person has  
29           stayed during the past 7 days.

30           The violent offender against youth shall provide accurate  
31           information as required by the Department of State Police. That  
32           information shall include the current place of employment of  
33           the violent offender against youth.

34           (a-5) An out-of-state student or out-of-state employee  
35           shall, within 5 days after beginning school or employment in  
36           this State, register in person and provide accurate information

1 as required by the Department of State Police. Such information  
2 will include current place of employment, school attended, and  
3 address in state of residence. The out-of-state student or  
4 out-of-state employee shall register:

5 (1) with the chief of police in the municipality in  
6 which he or she attends school or is employed for a period  
7 of time of 5 or more days or for an aggregate period of  
8 time of more than 30 days during any calendar year, unless  
9 the municipality is the City of Chicago, in which case he  
10 or she shall register at the Chicago Police Department  
11 Headquarters; or

12 (2) with the sheriff in the county in which he or she  
13 attends school or is employed for a period of time of 5 or  
14 more days or for an aggregate period of time of more than  
15 30 days during any calendar year in an unincorporated area  
16 or, if incorporated, no police chief exists.

17 The out-of-state student or out-of-state employee shall  
18 provide accurate information as required by the Department of  
19 State Police. That information shall include the out-of-state  
20 student's current place of school attendance or the  
21 out-of-state employee's current place of employment.

22 (b) Any violent offender against youth regardless of any  
23 initial, prior, or other registration, shall, within 5 days of  
24 beginning school, or establishing a residence, place of  
25 employment, or temporary domicile in any county, register in  
26 person as set forth in subsection (a) or (a-5).

27 (c) The registration for any person required to register  
28 under this Act shall be as follows:

29 (1) Except as provided in paragraph (3) of this  
30 subsection (c), any person who has not been notified of his  
31 or her responsibility to register shall be notified by a  
32 criminal justice entity of his or her responsibility to  
33 register. Upon notification the person must then register  
34 within 5 days of notification of his or her requirement to  
35 register. If notification is not made within the offender's  
36 10 year registration requirement, and the Department of

1 State Police determines no evidence exists or indicates the  
2 offender attempted to avoid registration, the offender  
3 will no longer be required to register under this Act.

4 (2) Except as provided in paragraph (3) of this  
5 subsection (c), any person convicted on or after the  
6 effective date of this Act shall register in person within  
7 5 days after the entry of the sentencing order based upon  
8 his or her conviction.

9 (3) Any person unable to comply with the registration  
10 requirements of this Act because he or she is confined,  
11 institutionalized, or imprisoned in Illinois on or after  
12 the effective date of this Act shall register in person  
13 within 5 days of discharge, parole or release.

14 (4) The person shall provide positive identification  
15 and documentation that substantiates proof of residence at  
16 the registering address.

17 (5) The person shall pay a \$20 initial registration fee  
18 and a \$10 annual renewal fee. The fees shall be deposited  
19 into the Child Murderer and Violent Offender Against Youth  
20 Registration Fund. The fees shall be used by the  
21 registering agency for official purposes. The agency shall  
22 establish procedures to document receipt and use of the  
23 funds. The law enforcement agency having jurisdiction may  
24 waive the registration fee if it determines that the person  
25 is indigent and unable to pay the registration fee.

26 (d) Within 5 days after obtaining or changing employment, a  
27 person required to register under this Section must report, in  
28 person to the law enforcement agency having jurisdiction, the  
29 business name and address where he or she is employed. If the  
30 person has multiple businesses or work locations, every  
31 business and work location must be reported to the law  
32 enforcement agency having jurisdiction.

33 Section 11. Transfer from the sex offender registry.

34 (a) The registration information for a person registered  
35 under the Sex Offender Registration Act who was convicted or



1 adjudicated for an offense listed in subsection (b) of Section  
2 5 of this Act may only be transferred to the Child Murderer and  
3 Violent Offender Against Youth Registry if all the following  
4 conditions are met:

5 (1) The offender's sole offense requiring registration  
6 was a conviction or adjudication for an offense or offenses  
7 listed in subsection (b) of Section 5 of this Act.

8 (2) The State's Attorney's Office in the county in  
9 which the offender was convicted has verified, on a form  
10 prescribed by the Illinois State Police, that the person's  
11 crime that required or requires registration was not  
12 sexually motivated as defined in Section 10 of the Sex  
13 Offender Management Board Act.

14 (3) The completed form has been received by the  
15 registering law enforcement agency and the Illinois State  
16 Police's Sex Offender Registration Unit.

17 (b) Transfer under this Section shall not extend the  
18 registration period for offenders who were registered under the  
19 Sex Offender Registration Act.

20 Section 15. Discharge of violent offender against youth.  
21 Discharge of violent offender against youth from Department of  
22 Corrections facility or other penal institution; duties of  
23 official in charge. Any violent offender against youth who is  
24 discharged, paroled, or released from a Department of  
25 Corrections facility, a facility where such person was placed  
26 by the Department of Corrections or another penal institution,  
27 and whose liability for registration has not terminated under  
28 Section 40 shall, prior to discharge, parole or release from  
29 the facility or institution, be informed of his or her duty to  
30 register in person within 5 days of release by the facility or  
31 institution in which he or she was confined. The facility or  
32 institution shall also inform any person who must register that  
33 if he or she establishes a residence outside of the State of  
34 Illinois, is employed outside of the State of Illinois, or  
35 attends school outside of the State of Illinois, he or she must

1 register in the new state within 5 days after establishing the  
2 residence, beginning employment, or beginning school.

3 The facility shall require the person to read and sign such  
4 form as may be required by the Department of State Police  
5 stating that the duty to register and the procedure for  
6 registration has been explained to him or her and that he or  
7 she understands the duty to register and the procedure for  
8 registration. The facility shall further advise the person in  
9 writing that the failure to register or other violation of this  
10 Act shall result in revocation of parole, mandatory supervised  
11 release or conditional release. The facility shall obtain  
12 information about where the person expects to reside, work, and  
13 attend school upon his or her discharge, parole or release and  
14 shall report the information to the Department of State Police.  
15 The facility shall give one copy of the form to the person and  
16 shall send one copy to each of the law enforcement agencies  
17 having jurisdiction where the person expects to reside, work,  
18 and attend school upon his or her discharge, parole or release  
19 and retain one copy for the files. Electronic data files which  
20 includes all notification form information and photographs of  
21 violent offenders against youth being released from an Illinois  
22 Department of Corrections facility will be shared on a regular  
23 basis as determined between the Department of State Police and  
24 the Department of Corrections.

25 Section 20. Release of violent offender against youth;  
26 duties of the Court. Any violent offender against youth who is  
27 released on probation or discharged upon payment of a fine  
28 because of the commission of one of the offenses defined in  
29 subsection (b) of Section 5 of this Act, shall, prior to such  
30 release be informed of his or her duty to register under this  
31 Act by the Court in which he or she was convicted. The Court  
32 shall also inform any person who must register that if he or  
33 she establishes a residence outside of the State of Illinois,  
34 is employed outside of the State of Illinois, or attends school  
35 outside of the State of Illinois, he or she must register in

1 the new state within 5 days after establishing the residence,  
2 beginning employment, or beginning school. The Court shall  
3 require the person to read and sign such form as may be  
4 required by the Department of State Police stating that the  
5 duty to register and the procedure for registration has been  
6 explained to him or her and that he or she understands the duty  
7 to register and the procedure for registration. The Court shall  
8 further advise the person in writing that the failure to  
9 register or other violation of this Act shall result in  
10 probation revocation. The Court shall obtain information about  
11 where the person expects to reside, work, and attend school  
12 upon his or her release, and shall report the information to  
13 the Department of State Police. The Court shall give one copy  
14 of the form to the person and retain the original in the court  
15 records. The Department of State Police shall notify the law  
16 enforcement agencies having jurisdiction where the person  
17 expects to reside, work and attend school upon his or her  
18 release.

19 Section 25. Discharge of violent offender against youth  
20 from hospital. Discharge of violent offender against youth from  
21 a hospital or other treatment facility; duties of the official  
22 in charge. Any violent offender against youth who is discharged  
23 or released from a hospital or other treatment facility where  
24 he or she was confined shall be informed by the hospital or  
25 treatment facility in which he or she was confined, prior to  
26 discharge or release from the hospital or treatment facility,  
27 of his or her duty to register under this Act.

28 The facility shall require the person to read and sign such  
29 form as may be required by the Department of State Police  
30 stating that the duty to register and the procedure for  
31 registration have been explained to him or her and that he or  
32 she understands the duty to register and the procedure for  
33 registration. The facility shall give one copy of the form to  
34 the person, retain one copy for its records, and forward the  
35 original to the Department of State Police. The facility shall

1 obtain information about where the person expects to reside,  
2 work, and attend school upon his or her discharge, parole, or  
3 release and shall report the information to the Department of  
4 State Police within 3 days. The facility or institution shall  
5 also inform any person who must register that if he or she  
6 establishes a residence outside of the State of Illinois, is  
7 employed outside of the State of Illinois, or attends school  
8 outside of the State of Illinois, he or she must register in  
9 the new state within 5 days after establishing the residence,  
10 beginning school, or beginning employment. The Department of  
11 State Police shall notify the law enforcement agencies having  
12 jurisdiction where the person expects to reside, work, and  
13 attend school upon his or her release.

14 Section 30. Duty to report; change of address, school, or  
15 employment; duty to inform. Any violent offender against youth  
16 who is required to register under this Act shall report in  
17 person to the appropriate law enforcement agency with whom he  
18 or she last registered within one year from the date of last  
19 registration and every year thereafter and at such other times  
20 at the request of the law enforcement agency not to exceed 4  
21 times a year. If any person required to register under this Act  
22 lacks a fixed residence or temporary domicile, he or she must  
23 notify, in person, the agency of jurisdiction of his or her  
24 last known address within 5 days after ceasing to have a fixed  
25 residence and if the offender leaves the last jurisdiction of  
26 residence, he or she must, within 48 hours after leaving,  
27 register in person with the new agency of jurisdiction. If any  
28 other person required to register under this Act changes his or  
29 her residence address, place of employment, or school, he or  
30 she shall report in person to the law enforcement agency with  
31 whom he or she last registered of his or her new address,  
32 change in employment, or school and register, in person, with  
33 the appropriate law enforcement agency within the time period  
34 specified in Section 10. The law enforcement agency shall,  
35 within 3 days of the reporting in person by the person required

1 to register under this Act, notify the Department of State  
2 Police of the new place of residence, change in employment, or  
3 school.

4 If any person required to register under this Act intends  
5 to establish a residence or employment outside of the State of  
6 Illinois, at least 10 days before establishing that residence  
7 or employment, he or she shall report in person to the law  
8 enforcement agency with which he or she last registered of his  
9 or her out-of-state intended residence or employment. The law  
10 enforcement agency with which such person last registered  
11 shall, within 3 days after the reporting in person of the  
12 person required to register under this Act of an address or  
13 employment change, notify the Department of State Police. The  
14 Department of State Police shall forward such information to  
15 the out-of-state law enforcement agency having jurisdiction in  
16 the form and manner prescribed by the Department of State  
17 Police.

18 Section 35. Out-of-State employee or student; duty to  
19 report change. Every out-of-state student or out-of-state  
20 employee must notify the agency having jurisdiction of any  
21 change of employment or change of educational status, in  
22 writing, within 5 days of the change. The law enforcement  
23 agency shall, within 3 days after receiving the notice, enter  
24 the appropriate changes into LEADS.

25 Section 40. Duration of registration. Any person who is  
26 required to register under this Act shall be required to  
27 register for a period of 10 years after conviction or  
28 adjudication if not confined to a penal institution, hospital  
29 or any other institution or facility, and if confined, for a  
30 period of 10 years after parole, discharge or release from any  
31 such facility. A violent offender against youth who is allowed  
32 to leave a county, State, or federal facility for the purposes  
33 of work release, education, or overnight visitations shall be  
34 required to register within 5 days of beginning such a program.

1 Liability for registration terminates at the expiration of 10  
2 years from the date of conviction or adjudication if not  
3 confined to a penal institution, hospital or any other  
4 institution or facility and if confined, at the expiration of  
5 10 years from the date of parole, discharge or release from any  
6 such facility, providing such person does not, during that  
7 period, again become liable to register under the provisions of  
8 this Act. Reconfinement due to a violation of parole or other  
9 circumstances that relates to the original conviction or  
10 adjudication shall extend the period of registration to 10  
11 years after final parole, discharge, or release. The Director  
12 of State Police, consistent with administrative rules, shall  
13 extend for 10 years the registration period of any violent  
14 offender against youth who fails to comply with the provisions  
15 of this Act. The registration period for any violent offender  
16 against youth who fails to comply with any provision of the Act  
17 shall extend the period of registration by 10 years beginning  
18 from the first date of registration after the violation. If the  
19 registration period is extended, the Department of State Police  
20 shall send a registered letter to the law enforcement agency  
21 where the violent offender against youth resides within 3 days  
22 after the extension of the registration period. The violent  
23 offender against youth shall report to that law enforcement  
24 agency and sign for that letter. One copy of that letter shall  
25 be kept on file with the law enforcement agency of the  
26 jurisdiction where the violent offender against youth resides  
27 and one copy shall be returned to the Department of State  
28 Police.

29 Section 45. Registration requirements. Registration as  
30 required by this Act shall consist of a statement in writing  
31 signed by the person giving the information that is required by  
32 the Department of State Police, which may include the  
33 fingerprints and must include a current photograph of the  
34 person, to be updated annually. The registration information  
35 must include whether the person is a violent offender against

1 youth. Within 3 days, the registering law enforcement agency  
2 shall forward any required information to the Department of  
3 State Police. The registering law enforcement agency shall  
4 enter the information into the Law Enforcement Agencies Data  
5 System (LEADS) as provided in Sections 6 and 7 of the  
6 Intergovernmental Missing Child Recovery Act of 1984.

7 Section 50. Verification requirements.

8 (a) The agency having jurisdiction shall verify the address  
9 of violent offenders against youth required to register with  
10 their agency at least once per year. The verification must be  
11 documented in LEADS in the form and manner required by the  
12 Department of State Police.

13 (b) The supervising officer shall, within 15 days of  
14 sentencing to probation or release from an Illinois Department  
15 of Corrections facility, contact the law enforcement agency in  
16 the jurisdiction which the violent offender against youth  
17 designated as his or her intended residence and verify  
18 compliance with the requirements of this Act. Revocation  
19 proceedings shall be immediately commenced against a violent  
20 offender against youth on probation, parole, or mandatory  
21 supervised release who fails to comply with the requirements of  
22 this Act.

23 Section 55. Public inspection of registration data. Except  
24 as provided in the Child Murderer and Violent Offender Against  
25 Youth Community Notification Law, the statements or any other  
26 information required by this Act shall not be open to  
27 inspection by the public, or by any person other than by a law  
28 enforcement officer or other individual as may be authorized by  
29 law and shall include law enforcement agencies of this State,  
30 any other state, or of the federal government. Similar  
31 information may be requested from any law enforcement agency of  
32 another state or of the federal government for purposes of this  
33 Act. It is a Class B misdemeanor to permit the unauthorized  
34 release of any information required by this Act.

1           Section 60. Penalty. Any person who is required to register  
2 under this Act who violates any of the provisions of this Act  
3 and any person who is required to register under this Act who  
4 seeks to change his or her name under Article 21 of the Code of  
5 Civil Procedure is guilty of a Class 3 felony. Any person who  
6 is convicted for a violation of this Act for a second or  
7 subsequent time is guilty of a Class 2 felony. Any person who  
8 is required to register under this Act who knowingly or  
9 wilfully gives material information required by this Act that  
10 is false is guilty of a Class 3 felony. Any person convicted of  
11 a violation of any provision of this Act shall, in addition to  
12 any other penalty required by law, be required to serve a  
13 minimum period of 7 days confinement in the local county jail.  
14 The court shall impose a mandatory minimum fine of \$500 for  
15 failure to comply with any provision of this Act. These fines  
16 shall be deposited into the Child Murderer and Violent Offender  
17 Against Youth Registration Fund. Any violent offender against  
18 youth who violates any provision of this Act may be arrested  
19 and tried in any Illinois county where the violent offender  
20 against youth can be located. The local police department or  
21 sheriff's office is not required to determine whether the  
22 person is living within its jurisdiction.

23           Section 65. Child Murderer and Violent Offender Against  
24 Youth Registration Fund. There is created the Child Murderer  
25 and Violent Offender Against Youth Registration Fund. Moneys in  
26 the Fund shall be used to cover costs incurred by the criminal  
27 justice system to administer this Act. The Department of State  
28 Police shall establish and promulgate rules and procedures  
29 regarding the administration of this Fund. Fifty percent of the  
30 moneys in the Fund shall be allocated by the Department for  
31 sheriffs' offices and police departments. The remaining moneys  
32 in the Fund shall be allocated to the Illinois State Police for  
33 education and administration of the Act.



1           Section 70. Access to State of Illinois databases. The  
2 Department of State Police shall have access to State of  
3 Illinois databases containing information that may help in the  
4 identification or location of persons required to register  
5 under this Act. Interagency agreements shall be implemented,  
6 consistent with security and procedures established by the  
7 State agency and consistent with the laws governing the  
8 confidentiality of the information in the databases.  
9 Information shall be used only for administration of this Act.

10           Section 75. Child Murderer and Violent Offender Against  
11 Youth Community Notification Law. Sections 75 through 105 of  
12 this Act may be cited as the Child Murderer and Violent  
13 Offender Against Youth Community Notification Law.

14           Section 80. Definition. As used in Sections 75 through 105,  
15 the following definition applies:

16           "Child care facilities" has the meaning set forth in the  
17 Child Care Act of 1969, but does not include licensed foster  
18 homes.

19           Section 85. Child Murderer and Violent Offender Against  
20 Youth Database.

21           (a) The Department of State Police shall establish and  
22 maintain a Statewide Child Murderer and Violent Offender  
23 Against Youth Database for the purpose of identifying violent  
24 offenders against youth and making that information available  
25 to the persons specified in Section 95. The Database shall be  
26 created from the Law Enforcement Agencies Data System (LEADS)  
27 established under Section 6 of the Intergovernmental Missing  
28 Child Recovery Act of 1984. The Department of State Police  
29 shall examine its LEADS database for persons registered as  
30 violent offenders against youth under this Act and shall  
31 identify those who are violent offenders against youth and  
32 shall add all the information, including photographs if  
33 available, on those violent offenders against youth to the

1 Statewide Child Murderer and Violent Offender Against Youth  
2 Database.

3 (b) The Department of State Police must make the  
4 information contained in the Statewide Child Murderer and  
5 Violent Offender Against Youth Database accessible on the  
6 Internet by means of a hyperlink labeled "Child Murderer and  
7 Violent Offender Against Youth Information" on the  
8 Department's World Wide Web home page. The Department of State  
9 Police must update that information as it deems necessary.

10 The Department of State Police may require that a person  
11 who seeks access to the violent offender against youth  
12 information submit biographical information about himself or  
13 herself before permitting access to the violent offender  
14 against youth information. The Department of State Police must  
15 promulgate rules in accordance with the Illinois  
16 Administrative Procedure Act to implement this subsection (b)  
17 and those rules must include procedures to ensure that the  
18 information in the database is accurate.

19 (c) The Department of State Police must develop and conduct  
20 training to educate all those entities involved in the Child  
21 Murderer and Violent Offender Against Youth Registration  
22 Program.

23 (d) The Department of State Police shall commence the  
24 duties prescribed in the Child Murderer and Violent Offender  
25 Against Youth Registration Act within 12 months after the  
26 effective date of this Act.

27 Section 86. Verification that offense was not sexually  
28 motivated. Any person who is convicted of any of the offenses  
29 listed in subsection (b) of Section 5 of this Act on or after  
30 the effective date of this Act, shall be required to register  
31 as an offender on the Child Murderer and Violent Offender  
32 Against Youth Registry if, at the time of sentencing, the  
33 sentencing court verifies in writing that the offense was not  
34 sexually motivated as defined in Section 10 of the Sex Offender  
35 Management Board Act. If the offense was sexually motivated,

1 the offender shall be required to register pursuant to the Sex  
2 Offender Registration Act.

3 Section 90. List of violent offenders against youth; list  
4 of facilities, schools, and institutions of higher education.  
5 The Department of State Police shall promulgate rules to  
6 develop a list of violent offenders against youth covered by  
7 this Act and a list of child care facilities, schools, and  
8 institutions of higher education eligible to receive notice  
9 under this Act, so that the list can be disseminated in a  
10 timely manner to law enforcement agencies having jurisdiction.

11 Section 95. Community notification of violent offenders  
12 against youth.

13 (a) The sheriff of the county, except Cook County, shall  
14 disclose to the following the name, address, date of birth,  
15 place of employment, school attended, and offense or  
16 adjudication of all violent offenders against youth required to  
17 register under Section 10 of this Act:

18 (1) The boards of institutions of higher education or  
19 other appropriate administrative offices of each  
20 non-public institution of higher education located in the  
21 county where the violent offender against youth is required  
22 to register, resides, is employed, or is attending an  
23 institution of higher education; and

24 (2) School boards of public school districts and the  
25 principal or other appropriate administrative officer of  
26 each nonpublic school located in the county where the  
27 violent offender against youth is required to register or  
28 is employed; and

29 (3) Child care facilities located in the county where  
30 the violent offender against youth is required to register  
31 or is employed.

32 (a-2) The sheriff of Cook County shall disclose to the  
33 following the name, address, date of birth, place of  
34 employment, school attended, and offense or adjudication of all

1 violent offenders against youth required to register under  
2 Section 10 of this Act:

3 (1) School boards of public school districts and the  
4 principal or other appropriate administrative officer of  
5 each nonpublic school located within the region of Cook  
6 County, as those public school districts and nonpublic  
7 schools are identified in LEADS, other than the City of  
8 Chicago, where the violent offender against youth is  
9 required to register or is employed; and

10 (2) Child care facilities located within the region of  
11 Cook County, as those child care facilities are identified  
12 in LEADS, other than the City of Chicago, where the violent  
13 offender against youth is required to register or is  
14 employed; and

15 (3) The boards of institutions of higher education or  
16 other appropriate administrative offices of each  
17 non-public institution of higher education located in the  
18 county, other than the City of Chicago, where the violent  
19 offender against youth is required to register, resides, is  
20 employed, or attending an institution of higher education.

21 (a-3) The Chicago Police Department shall disclose to the  
22 following the name, address, date of birth, place of  
23 employment, school attended, and offense or adjudication of all  
24 violent offenders against youth required to register under  
25 Section 10 of this Act:

26 (1) School boards of public school districts and the  
27 principal or other appropriate administrative officer of  
28 each nonpublic school located in the police district where  
29 the violent offender against youth is required to register  
30 or is employed if the offender is required to register or  
31 is employed in the City of Chicago; and

32 (2) Child care facilities located in the police  
33 district where the violent offender against youth is  
34 required to register or is employed if the offender is  
35 required to register or is employed in the City of Chicago;  
36 and

1           (3) The boards of institutions of higher education or  
2           other appropriate administrative offices of each  
3           non-public institution of higher education located in the  
4           police district where the violent offender against youth is  
5           required to register, resides, is employed, or attending an  
6           institution of higher education in the City of Chicago.

7           (a-4) The Department of State Police shall provide a list  
8           of violent offenders against youth required to register to the  
9           Illinois Department of Children and Family Services.

10          (b) The Department of State Police and any law enforcement  
11          agency may disclose, in the Department's or agency's  
12          discretion, the following information to any person likely to  
13          encounter a violent offender against youth:

14               (1) The offender's name, address, and date of birth.

15               (2) The offense for which the offender was convicted.

16               (3) The offender's photograph or other such  
17               information that will help identify the violent offender  
18               against youth.

19               (4) Offender employment information, to protect public  
20               safety.

21          (c) The name, address, date of birth, and offense or  
22          adjudication for violent offenders against youth required to  
23          register under Section 10 of this Act shall be open to  
24          inspection by the public as provided in this Section. Every  
25          municipal police department shall make available at its  
26          headquarters the information on all violent offenders against  
27          youth who are required to register in the municipality under  
28          this Act. The sheriff shall also make available at his or her  
29          headquarters the information on all violent offenders against  
30          youth who are required to register under this Act and who live  
31          in unincorporated areas of the county. Violent offender against  
32          youth information must be made available for public inspection  
33          to any person, no later than 72 hours or 3 business days from  
34          the date of the request. The request must be made in person, in  
35          writing, or by telephone. Availability must include giving the  
36          inquirer access to a facility where the information may be

1 copied. A department or sheriff may charge a fee, but the fee  
2 may not exceed the actual costs of copying the information. An  
3 inquirer must be allowed to copy this information in his or her  
4 own handwriting. A department or sheriff must allow access to  
5 the information during normal public working hours. The sheriff  
6 or a municipal police department may publish the photographs of  
7 violent offenders against youth where any victim was 13 years  
8 of age or younger and who are required to register in the  
9 municipality or county under this Act in a newspaper or  
10 magazine of general circulation in the municipality or county  
11 or may disseminate the photographs of those violent offenders  
12 against youth on the Internet or on television. The law  
13 enforcement agency may make available the information on all  
14 violent offenders against youth residing within any county.

15 (d) The Department of State Police and any law enforcement  
16 agency having jurisdiction may, in the Department's or agency's  
17 discretion, place the information specified in subsection (b)  
18 on the Internet or in other media.

19 Section 100. Notification regarding juvenile offenders.

20 (a) The Department of State Police and any law enforcement  
21 agency having jurisdiction may, in the Department's or agency's  
22 discretion, only provide the information specified in  
23 subsection (b) of Section 95, with respect to an adjudicated  
24 juvenile delinquent, to any person when that person's safety  
25 may be compromised for some reason related to the juvenile  
26 violent offender against youth.

27 (b) The local law enforcement agency having jurisdiction to  
28 register the juvenile violent offender against youth shall  
29 ascertain from the juvenile violent offender against youth  
30 whether the juvenile violent offender against youth is enrolled  
31 in school; and if so, shall provide a copy of the violent  
32 offender against youth registration form only to the principal  
33 or chief administrative officer of the school and any guidance  
34 counselor designated by him or her. The registration form shall  
35 be kept separately from any and all school records maintained

1 on behalf of the juvenile violent offender against youth.

2 Section 105. Special alerts. A law enforcement agency  
3 having jurisdiction may provide to the public a special alert  
4 list warning parents to be aware that violent offenders against  
5 youth may attempt to contact children during holidays involving  
6 children, such as Halloween, Christmas, and Easter and  
7 informing parents that information containing the names and  
8 addresses of registered violent offenders against youth are  
9 accessible on the Internet by means of a hyperlink labeled  
10 "Violent Offender Against Youth Information" on the Department  
11 of State Police's World Wide Web home page and are available  
12 for public inspection at the agency's headquarters.

13 Section 1005. The Department of State Police Law of the  
14 Civil Administrative Code of Illinois is amended by changing  
15 Section 2605-35 as follows:

16 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

17 Sec. 2605-35. Division of Operations (formerly Criminal  
18 Investigation).

19 (a) The Division of Operations shall exercise the following  
20 functions and those in Section 2605-30:

21 (1) Exercise the rights, powers, and duties vested by  
22 law in the Department by the Illinois Horse Racing Act of  
23 1975.

24 (2) Investigate the origins, activities, personnel,  
25 and incidents of crime and enforce the criminal laws of  
26 this State related thereto.

27 (3) Enforce all laws regulating the production, sale,  
28 prescribing, manufacturing, administering, transporting,  
29 having in possession, dispensing, delivering,  
30 distributing, or use of controlled substances and  
31 cannabis.

32 (4) Cooperate with the police of cities, villages, and  
33 incorporated towns and with the police officers of any

1 county in enforcing the laws of the State and in making  
2 arrests and recovering property.

3 (5) Apprehend and deliver up any person charged in this  
4 State or any other state with treason or a felony or other  
5 crime who has fled from justice and is found in this State.

6 (6) Investigate recipients and providers under the  
7 Illinois Public Aid Code and any personnel involved in the  
8 administration of the Code who are suspected of any  
9 violation of the Code pertaining to fraud in the  
10 administration, receipt, or provision of assistance and  
11 pertaining to any violation of criminal law; and exercise  
12 the functions required under Section 2605-220 in the  
13 conduct of those investigations.

14 (7) Conduct other investigations as provided by law.

15 (8) Exercise the powers and perform the duties that  
16 have been vested in the Department by the Sex Offender  
17 Registration Act and the Sex Offender ~~and Child Murderer~~  
18 Community Notification Law; and promulgate reasonable  
19 rules and regulations necessitated thereby.

20 (9) Exercise other duties that may be assigned by the  
21 Director in order to fulfill the responsibilities and  
22 achieve the purposes of the Department.

23 (b) There is hereby established in the Division of  
24 Operations the Office of Coordination of Gang Prevention,  
25 hereafter referred to as the Office.

26 The Office shall consult with units of local government and  
27 school districts to assist them in gang control activities and  
28 to administer a system of grants to units of local government  
29 and school districts that, upon application, have demonstrated  
30 a workable plan to reduce gang activity in their area. The  
31 grants shall not include reimbursement for personnel, nor shall  
32 they exceed 75% of the total request by any applicant. The  
33 grants may be calculated on a proportional basis, determined by  
34 funds available to the Department for this purpose. The  
35 Department has the authority to promulgate appropriate rules  
36 and regulations to administer this program.



1 The Office shall establish mobile units of trained  
2 personnel to respond to gang activities.

3 The Office shall also consult with and use the services of  
4 religious leaders and other celebrities to assist in gang  
5 control activities.

6 The Office may sponsor seminars, conferences, or any other  
7 educational activity to assist communities in their gang crime  
8 control activities.

9 (Source: P.A. 90-193, eff. 7-24-97; 91-239, eff. 1-1-00;  
10 91-760, eff. 1-1-01.)

11 Section 1010. The State Finance Act is amended by adding  
12 Section 5.663 as follows:

13 (30 ILCS 105/5.663 new)

14 Sec. 5.663. The Child Murderer and Violent Offender Against  
15 Youth Registration Fund.

16 Section 1015. The School Code is amended by changing  
17 Sections 10-21.9 and 34-18.5 as follows:

18 (105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

19 Sec. 10-21.9. Criminal history records checks and checks of  
20 the Statewide Sex Offender Database.

21 (a) Certified and noncertified applicants for employment  
22 with a school district, except school bus driver applicants,  
23 are required as a condition of employment to authorize a  
24 fingerprint-based criminal history records check to determine  
25 if such applicants have been convicted of any of the enumerated  
26 criminal or drug offenses in subsection (c) of this Section or  
27 have been convicted, within 7 years of the application for  
28 employment with the school district, of any other felony under  
29 the laws of this State or of any offense committed or attempted  
30 in any other state or against the laws of the United States  
31 that, if committed or attempted in this State, would have been  
32 punishable as a felony under the laws of this State.

1 Authorization for the check shall be furnished by the applicant  
2 to the school district, except that if the applicant is a  
3 substitute teacher seeking employment in more than one school  
4 district, a teacher seeking concurrent part-time employment  
5 positions with more than one school district (as a reading  
6 specialist, special education teacher or otherwise), or an  
7 educational support personnel employee seeking employment  
8 positions with more than one district, any such district may  
9 require the applicant to furnish authorization for the check to  
10 the regional superintendent of the educational service region  
11 in which are located the school districts in which the  
12 applicant is seeking employment as a substitute or concurrent  
13 part-time teacher or concurrent educational support personnel  
14 employee. Upon receipt of this authorization, the school  
15 district or the appropriate regional superintendent, as the  
16 case may be, shall submit the applicant's name, sex, race, date  
17 of birth, social security number, fingerprint images, and other  
18 identifiers, as prescribed by the Department of State Police,  
19 to the Department. The regional superintendent submitting the  
20 requisite information to the Department of State Police shall  
21 promptly notify the school districts in which the applicant is  
22 seeking employment as a substitute or concurrent part-time  
23 teacher or concurrent educational support personnel employee  
24 that the check of the applicant has been requested. The  
25 Department of State Police and the Federal Bureau of  
26 Investigation shall furnish, pursuant to a fingerprint-based  
27 criminal history records check, records of convictions, until  
28 expunged, to the president of the school board for the school  
29 district that requested the check, or to the regional  
30 superintendent who requested the check. The Department shall  
31 charge the school district or the appropriate regional  
32 superintendent a fee for conducting such check, which fee shall  
33 be deposited in the State Police Services Fund and shall not  
34 exceed the cost of the inquiry; and the applicant shall not be  
35 charged a fee for such check by the school district or by the  
36 regional superintendent. Subject to appropriations for these

1 purposes, the State Superintendent of Education shall  
2 reimburse school districts and regional superintendents for  
3 fees paid to obtain criminal history records checks under this  
4 Section.

5 (a-5) The school district or regional superintendent shall  
6 further perform a check of the Statewide Sex Offender Database,  
7 as authorized by the Sex Offender ~~and Child Murderer~~ Community  
8 Notification Law, for each applicant.

9 (a-6) The school district or regional superintendent shall  
10 further perform a check of the Statewide Child Murderer and  
11 Violent Offender Against Youth Database, as authorized by the  
12 Child Murderer and Violent Offender Against Youth Community  
13 Notification Law, for each applicant.

14 (b) Any information concerning the record of convictions  
15 obtained by the president of the school board or the regional  
16 superintendent shall be confidential and may only be  
17 transmitted to the superintendent of the school district or his  
18 designee, the appropriate regional superintendent if the check  
19 was requested by the school district, the presidents of the  
20 appropriate school boards if the check was requested from the  
21 Department of State Police by the regional superintendent, the  
22 State Superintendent of Education, the State Teacher  
23 Certification Board or any other person necessary to the  
24 decision of hiring the applicant for employment. A copy of the  
25 record of convictions obtained from the Department of State  
26 Police shall be provided to the applicant for employment. Upon  
27 the check of the Statewide Sex Offender Database, the school  
28 district or regional superintendent shall notify an applicant  
29 as to whether or not the applicant has been identified in the  
30 Database as a sex offender. If a check of an applicant for  
31 employment as a substitute or concurrent part-time teacher or  
32 concurrent educational support personnel employee in more than  
33 one school district was requested by the regional  
34 superintendent, and the Department of State Police upon a check  
35 ascertains that the applicant has not been convicted of any of  
36 the enumerated criminal or drug offenses in subsection (c) or

1 has not been convicted, within 7 years of the application for  
2 employment with the school district, of any other felony under  
3 the laws of this State or of any offense committed or attempted  
4 in any other state or against the laws of the United States  
5 that, if committed or attempted in this State, would have been  
6 punishable as a felony under the laws of this State and so  
7 notifies the regional superintendent and if the regional  
8 superintendent upon a check ascertains that the applicant has  
9 not been identified in the Sex Offender Database as a sex  
10 offender, then the regional superintendent shall issue to the  
11 applicant a certificate evidencing that as of the date  
12 specified by the Department of State Police the applicant has  
13 not been convicted of any of the enumerated criminal or drug  
14 offenses in subsection (c) or has not been convicted, within 7  
15 years of the application for employment with the school  
16 district, of any other felony under the laws of this State or  
17 of any offense committed or attempted in any other state or  
18 against the laws of the United States that, if committed or  
19 attempted in this State, would have been punishable as a felony  
20 under the laws of this State and evidencing that as of the date  
21 that the regional superintendent conducted a check of the  
22 Statewide Sex Offender Database, the applicant has not been  
23 identified in the Database as a sex offender. The school board  
24 of any school district located in the educational service  
25 region served by the regional superintendent who issues such a  
26 certificate to an applicant for employment as a substitute  
27 teacher in more than one such district may rely on the  
28 certificate issued by the regional superintendent to that  
29 applicant, or may initiate its own criminal history records  
30 check of the applicant through the Department of State Police  
31 and its own check of the Statewide Sex Offender Database as  
32 provided in subsection (a). Any person who releases any  
33 confidential information concerning any criminal convictions  
34 of an applicant for employment shall be guilty of a Class A  
35 misdemeanor, unless the release of such information is  
36 authorized by this Section.

1 (c) No school board shall knowingly employ a person who has  
2 been convicted for committing attempted first degree murder or  
3 for committing or attempting to commit first degree murder or a  
4 Class X felony or any one or more of the following offenses:  
5 (i) those defined in Sections 11-6, 11-9, 11-14, 11-15,  
6 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20,  
7 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16 of the  
8 Criminal Code of 1961; (ii) those defined in the Cannabis  
9 Control Act except those defined in Sections 4(a), 4(b) and  
10 5(a) of that Act; (iii) those defined in the Illinois  
11 Controlled Substances Act; (iv) those defined in the  
12 Methamphetamine Control and Community Protection Act; and (v)  
13 any offense committed or attempted in any other state or  
14 against the laws of the United States, which if committed or  
15 attempted in this State, would have been punishable as one or  
16 more of the foregoing offenses. Further, no school board shall  
17 knowingly employ a person who has been found to be the  
18 perpetrator of sexual or physical abuse of any minor under 18  
19 years of age pursuant to proceedings under Article II of the  
20 Juvenile Court Act of 1987.

21 (d) No school board shall knowingly employ a person for  
22 whom a criminal history records check and a Statewide Sex  
23 Offender Database check has not been initiated.

24 (e) Upon receipt of the record of a conviction of or a  
25 finding of child abuse by a holder of any certificate issued  
26 pursuant to Article 21 or Section 34-8.1 or 34-83 of the School  
27 Code, the appropriate regional superintendent of schools or the  
28 State Superintendent of Education shall initiate the  
29 certificate suspension and revocation proceedings authorized  
30 by law.

31 (f) After January 1, 1990 the provisions of this Section  
32 shall apply to all employees of persons or firms holding  
33 contracts with any school district including, but not limited  
34 to, food service workers, school bus drivers and other  
35 transportation employees, who have direct, daily contact with  
36 the pupils of any school in such district. For purposes of

1 criminal history records checks and checks of the Statewide Sex  
2 Offender Database on employees of persons or firms holding  
3 contracts with more than one school district and assigned to  
4 more than one school district, the regional superintendent of  
5 the educational service region in which the contracting school  
6 districts are located may, at the request of any such school  
7 district, be responsible for receiving the authorization for a  
8 criminal history records check prepared by each such employee  
9 and submitting the same to the Department of State Police and  
10 for conducting a check of the Statewide Sex Offender Database  
11 for each employee. Any information concerning the record of  
12 conviction and identification as a sex offender of any such  
13 employee obtained by the regional superintendent shall be  
14 promptly reported to the president of the appropriate school  
15 board or school boards.

16 (Source: P.A. 93-418, eff. 1-1-04; 93-909, eff. 8-12-04;  
17 94-219, eff. 7-14-05; 94-556, eff. 9-11-05; revised 8-19-05.)

18 (105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

19 Sec. 34-18.5. Criminal history records checks and checks of  
20 the Statewide Sex Offender Database.

21 (a) Certified and noncertified applicants for employment  
22 with the school district are required as a condition of  
23 employment to authorize a fingerprint-based criminal history  
24 records check to determine if such applicants have been  
25 convicted of any of the enumerated criminal or drug offenses in  
26 subsection (c) of this Section or have been convicted, within 7  
27 years of the application for employment with the school  
28 district, of any other felony under the laws of this State or  
29 of any offense committed or attempted in any other state or  
30 against the laws of the United States that, if committed or  
31 attempted in this State, would have been punishable as a felony  
32 under the laws of this State. Authorization for the check shall  
33 be furnished by the applicant to the school district, except  
34 that if the applicant is a substitute teacher seeking  
35 employment in more than one school district, or a teacher

1 seeking concurrent part-time employment positions with more  
2 than one school district (as a reading specialist, special  
3 education teacher or otherwise), or an educational support  
4 personnel employee seeking employment positions with more than  
5 one district, any such district may require the applicant to  
6 furnish authorization for the check to the regional  
7 superintendent of the educational service region in which are  
8 located the school districts in which the applicant is seeking  
9 employment as a substitute or concurrent part-time teacher or  
10 concurrent educational support personnel employee. Upon  
11 receipt of this authorization, the school district or the  
12 appropriate regional superintendent, as the case may be, shall  
13 submit the applicant's name, sex, race, date of birth, social  
14 security number, fingerprint images, and other identifiers, as  
15 prescribed by the Department of State Police, to the  
16 Department. The regional superintendent submitting the  
17 requisite information to the Department of State Police shall  
18 promptly notify the school districts in which the applicant is  
19 seeking employment as a substitute or concurrent part-time  
20 teacher or concurrent educational support personnel employee  
21 that the check of the applicant has been requested. The  
22 Department of State Police and the Federal Bureau of  
23 Investigation shall furnish, pursuant to a fingerprint-based  
24 criminal history records check, records of convictions, until  
25 expunged, to the president of the school board for the school  
26 district that requested the check, or to the regional  
27 superintendent who requested the check. The Department shall  
28 charge the school district or the appropriate regional  
29 superintendent a fee for conducting such check, which fee shall  
30 be deposited in the State Police Services Fund and shall not  
31 exceed the cost of the inquiry; and the applicant shall not be  
32 charged a fee for such check by the school district or by the  
33 regional superintendent. Subject to appropriations for these  
34 purposes, the State Superintendent of Education shall  
35 reimburse the school district and regional superintendent for  
36 fees paid to obtain criminal history records checks under this

1 Section.

2 (a-5) The school district or regional superintendent shall  
3 further perform a check of the Statewide Sex Offender Database,  
4 as authorized by the Sex Offender ~~and Child Murderer~~ Community  
5 Notification Law, for each applicant.

6 (a-6) The school district or regional superintendent shall  
7 further perform a check of the Statewide Child Murderer and  
8 Violent Offender Against Youth Database, as authorized by the  
9 Child Murderer and Violent Offender Against Youth Community  
10 Notification Law, for each applicant.

11 (b) Any information concerning the record of convictions  
12 obtained by the president of the board of education or the  
13 regional superintendent shall be confidential and may only be  
14 transmitted to the general superintendent of the school  
15 district or his designee, the appropriate regional  
16 superintendent if the check was requested by the board of  
17 education for the school district, the presidents of the  
18 appropriate board of education or school boards if the check  
19 was requested from the Department of State Police by the  
20 regional superintendent, the State Superintendent of  
21 Education, the State Teacher Certification Board or any other  
22 person necessary to the decision of hiring the applicant for  
23 employment. A copy of the record of convictions obtained from  
24 the Department of State Police shall be provided to the  
25 applicant for employment. Upon the check of the Statewide Sex  
26 Offender Database, the school district or regional  
27 superintendent shall notify an applicant as to whether or not  
28 the applicant has been identified in the Database as a sex  
29 offender. If a check of an applicant for employment as a  
30 substitute or concurrent part-time teacher or concurrent  
31 educational support personnel employee in more than one school  
32 district was requested by the regional superintendent, and the  
33 Department of State Police upon a check ascertains that the  
34 applicant has not been convicted of any of the enumerated  
35 criminal or drug offenses in subsection (c) or has not been  
36 convicted, within 7 years of the application for employment



1 with the school district, of any other felony under the laws of  
2 this State or of any offense committed or attempted in any  
3 other state or against the laws of the United States that, if  
4 committed or attempted in this State, would have been  
5 punishable as a felony under the laws of this State and so  
6 notifies the regional superintendent and if the regional  
7 superintendent upon a check ascertains that the applicant has  
8 not been identified in the Sex Offender Database as a sex  
9 offender, then the regional superintendent shall issue to the  
10 applicant a certificate evidencing that as of the date  
11 specified by the Department of State Police the applicant has  
12 not been convicted of any of the enumerated criminal or drug  
13 offenses in subsection (c) or has not been convicted, within 7  
14 years of the application for employment with the school  
15 district, of any other felony under the laws of this State or  
16 of any offense committed or attempted in any other state or  
17 against the laws of the United States that, if committed or  
18 attempted in this State, would have been punishable as a felony  
19 under the laws of this State and evidencing that as of the date  
20 that the regional superintendent conducted a check of the  
21 Statewide Sex Offender Database, the applicant has not been  
22 identified in the Database as a sex offender. The school board  
23 of any school district located in the educational service  
24 region served by the regional superintendent who issues such a  
25 certificate to an applicant for employment as a substitute or  
26 concurrent part-time teacher or concurrent educational support  
27 personnel employee in more than one such district may rely on  
28 the certificate issued by the regional superintendent to that  
29 applicant, or may initiate its own criminal history records  
30 check of the applicant through the Department of State Police  
31 and its own check of the Statewide Sex Offender Database as  
32 provided in subsection (a). Any person who releases any  
33 confidential information concerning any criminal convictions  
34 of an applicant for employment shall be guilty of a Class A  
35 misdemeanor, unless the release of such information is  
36 authorized by this Section.

1 (c) The board of education shall not knowingly employ a  
2 person who has been convicted for committing attempted first  
3 degree murder or for committing or attempting to commit first  
4 degree murder or a Class X felony or any one or more of the  
5 following offenses: (i) those defined in Sections 11-6, 11-9,  
6 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1,  
7 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15  
8 and 12-16 of the Criminal Code of 1961; (ii) those defined in  
9 the Cannabis Control Act, except those defined in Sections  
10 4(a), 4(b) and 5(a) of that Act; (iii) those defined in the  
11 Illinois Controlled Substances Act; (iv) those defined in the  
12 Methamphetamine Control and Community Protection Act; and (v)  
13 any offense committed or attempted in any other state or  
14 against the laws of the United States, which if committed or  
15 attempted in this State, would have been punishable as one or  
16 more of the foregoing offenses. Further, the board of education  
17 shall not knowingly employ a person who has been found to be  
18 the perpetrator of sexual or physical abuse of any minor under  
19 18 years of age pursuant to proceedings under Article II of the  
20 Juvenile Court Act of 1987.

21 (d) The board of education shall not knowingly employ a  
22 person for whom a criminal history records check and a  
23 Statewide Sex Offender Database check has not been initiated.

24 (e) Upon receipt of the record of a conviction of or a  
25 finding of child abuse by a holder of any certificate issued  
26 pursuant to Article 21 or Section 34-8.1 or 34-83 of the School  
27 Code, the board of education or the State Superintendent of  
28 Education shall initiate the certificate suspension and  
29 revocation proceedings authorized by law.

30 (f) After March 19, 1990, the provisions of this Section  
31 shall apply to all employees of persons or firms holding  
32 contracts with any school district including, but not limited  
33 to, food service workers, school bus drivers and other  
34 transportation employees, who have direct, daily contact with  
35 the pupils of any school in such district. For purposes of  
36 criminal history records checks and checks of the Statewide Sex

1 Offender Database on employees of persons or firms holding  
2 contracts with more than one school district and assigned to  
3 more than one school district, the regional superintendent of  
4 the educational service region in which the contracting school  
5 districts are located may, at the request of any such school  
6 district, be responsible for receiving the authorization for a  
7 criminal history records check prepared by each such employee  
8 and submitting the same to the Department of State Police and  
9 for conducting a check of the Statewide Sex Offender Database  
10 for each employee. Any information concerning the record of  
11 conviction and identification as a sex offender of any such  
12 employee obtained by the regional superintendent shall be  
13 promptly reported to the president of the appropriate school  
14 board or school boards.

15 (Source: P.A. 93-418, eff. 1-1-04; 93-909, eff. 8-12-04;  
16 94-219, eff. 7-14-05; 94-556, eff. 9-11-05; revised 8-19-05.)

17 Section 1020. The Intergovernmental Missing Child Recovery  
18 Act of 1984 is amended by changing Section 6 as follows:

19 (325 ILCS 40/6) (from Ch. 23, par. 2256)

20 Sec. 6. The Department shall:

21 (a) Establish and maintain a statewide Law Enforcement  
22 Agencies Data System (LEADS) for the purpose of effecting an  
23 immediate law enforcement response to reports of missing  
24 children. The Department shall implement an automated data  
25 exchange system to compile, to maintain and to make available  
26 for dissemination to Illinois and out-of-State law enforcement  
27 agencies, data which can assist appropriate agencies in  
28 recovering missing children.

29 (b) Establish contacts and exchange information regarding  
30 lost, missing or runaway children with nationally recognized  
31 "missing person and runaway" service organizations and monitor  
32 national research and publicize important developments.

33 (c) Provide a uniform reporting format for the entry of  
34 pertinent information regarding reports of missing children

1 into LEADS.

2 (d) Develop and implement a policy whereby a statewide or  
3 regional alert would be used in situations relating to the  
4 disappearances of children, based on criteria and in a format  
5 established by the Department. Such a format shall include, but  
6 not be limited to, the age and physical description of the  
7 missing child and the suspected circumstances of the  
8 disappearance.

9 (e) Notify all law enforcement agencies that reports of  
10 missing persons shall be entered as soon as the minimum level  
11 of data specified by the Department is available to the  
12 reporting agency and that no waiting period for entry of such  
13 data exists.

14 (f) Provide a procedure for prompt confirmation of the  
15 receipt and entry of the missing child report into LEADS to the  
16 parent or guardian of the missing child.

17 (g) Compile and retain information regarding missing  
18 children in a separate data file, in a manner that allows such  
19 information to be used by law enforcement and other agencies  
20 deemed appropriate by the Director, for investigative  
21 purposes. Such files shall be updated to reflect and include  
22 information relating to the disposition of the case.

23 (h) Compile and maintain an historic data repository  
24 relating to missing children in order (1) to develop and  
25 improve techniques utilized by law enforcement agencies when  
26 responding to reports of missing children and (2) to provide a  
27 factual and statistical base for research that would address  
28 the problem of missing children.

29 (i) Create a quality control program to monitor timeliness  
30 of entries of missing children reports into LEADS and conduct  
31 performance audits of all entering agencies.

32 (j) Prepare a periodic information bulletin concerning  
33 missing children who it determines may be present in this  
34 State, compiling such bulletin from information contained in  
35 both the National Crime Information Center computer and from  
36 reports, alerts and other information entered into LEADS or

1 otherwise compiled and retained by the Department pursuant to  
2 this Act. The bulletin shall indicate the name, age, physical  
3 description, suspected circumstances of disappearance if that  
4 information is available, a photograph if one is available, the  
5 name of the law enforcement agency investigating the case, and  
6 such other information as the Director considers appropriate  
7 concerning each missing child who the Department determines may  
8 be present in this State. The Department shall send a copy of  
9 each periodic information bulletin to the State Board of  
10 Education for its use in accordance with Section 2-3.48 of the  
11 School Code. The Department shall provide a copy of the  
12 bulletin, upon request, to law enforcement agencies of this or  
13 any other state or of the federal government, and may provide a  
14 copy of the bulletin, upon request, to other persons or  
15 entities, if deemed appropriate by the Director, and may  
16 establish limitations on its use and a reasonable fee for so  
17 providing the same, except that no fee shall be charged for  
18 providing the periodic information bulletin to the State Board  
19 of Education, appropriate units of local government, State  
20 agencies, or law enforcement agencies of this or any other  
21 state or of the federal government.

22 (k) Provide for the entry into LEADS of the names and  
23 addresses of sex offenders as defined in the Sex Offender  
24 Registration Act who are required to register under that Act.  
25 The information shall be immediately accessible to law  
26 enforcement agencies and peace officers of this State or any  
27 other state or of the federal government. Similar information  
28 may be requested from any other state or of the federal  
29 government for purposes of this Act.

30 (l) Provide for the entry into LEADS of the names and  
31 addresses of violent offenders against youth as defined in the  
32 Child Murderer and Violent Offender Against Youth Registration  
33 Act who are required to register under that Act. The  
34 information shall be immediately accessible to law enforcement  
35 agencies and peace officers of this State or any other state or  
36 of the federal government. Similar information may be requested

1 from any other state or of the federal government for purposes  
2 of this Act.

3 (Source: P.A. 88-76; 89-8, eff. 1-1-96.)

4 Section 1025. The Sex Offender Registration Act is amended  
5 by changing Sections 2, 8, and 9 as follows:

6 (730 ILCS 150/2) (from Ch. 38, par. 222)

7 Sec. 2. Definitions.

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

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

15 (a) is convicted of such offense or an attempt to  
16 commit such offense; or

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

19 (c) is found not guilty by reason of insanity  
20 pursuant to Section 104-25(c) of the Code of Criminal  
21 Procedure of 1963 of such offense or an attempt to  
22 commit such offense; or

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

28 (e) is found not guilty by reason of insanity  
29 following a hearing conducted pursuant to a federal,  
30 Uniform Code of Military Justice, sister state, or  
31 foreign country law substantially similar to Section  
32 104-25(c) of the Code of Criminal Procedure of 1963 of  
33 such offense or of the attempted commission of such  
34 offense; or

1 (f) is the subject of a finding not resulting in an  
2 acquittal at a hearing conducted pursuant to a federal,  
3 Uniform Code of Military Justice, sister state, or  
4 foreign country law substantially similar to Section  
5 104-25(a) of the Code of Criminal Procedure of 1963 for  
6 the alleged violation or attempted commission of such  
7 offense; or

8 (2) certified as a sexually dangerous person pursuant  
9 to the Illinois Sexually Dangerous Persons Act, or any  
10 substantially similar federal, Uniform Code of Military  
11 Justice, sister state, or foreign country law; or

12 (3) subject to the provisions of Section 2 of the  
13 Interstate Agreements on Sexually Dangerous Persons Act;  
14 or

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

19 (5) adjudicated a juvenile delinquent as the result of  
20 committing or attempting to commit an act which, if  
21 committed by an adult, would constitute any of the offenses  
22 specified in item (B), (C), or (C-5) of this Section or a  
23 violation of any substantially similar federal, Uniform  
24 Code of Military Justice, sister state, or foreign country  
25 law, or found guilty under Article V of the Juvenile Court  
26 Act of 1987 of committing or attempting to commit an act  
27 which, if committed by an adult, would constitute any of  
28 the offenses specified in item (B), (C), or (C-5) of this  
29 Section or a violation of any substantially similar  
30 federal, Uniform Code of Military Justice, sister state, or  
31 foreign country law.

32 Convictions that result from or are connected with the same  
33 act, or result from offenses committed at the same time, shall  
34 be counted for the purpose of this Article as one conviction.  
35 Any conviction set aside pursuant to law is not a conviction  
36 for purposes of this Article.

1 For purposes of this Section, "convicted" shall have the  
2 same meaning as "adjudicated". For the purposes of this  
3 Article, a person who is defined as a sex offender as a result  
4 of being adjudicated a juvenile delinquent under paragraph (5)  
5 of this subsection (A) upon attaining 17 years of age shall be  
6 considered as having committed the sex offense on or after the  
7 sex offender's 17th birthday. Registration of juveniles upon  
8 attaining 17 years of age shall not extend the original  
9 registration of 10 years from the date of conviction.

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

11 (1) A violation of any of the following Sections of the  
12 Criminal Code of 1961:

- 13 11-20.1 (child pornography),  
14 11-6 (indecent solicitation of a child),  
15 11-9.1 (sexual exploitation of a child),  
16 11-9.2 (custodial sexual misconduct),  
17 11-15.1 (soliciting for a juvenile prostitute),  
18 11-18.1 (patronizing a juvenile prostitute),  
19 11-17.1 (keeping a place of juvenile  
20 prostitution),  
21 11-19.1 (juvenile pimping),  
22 11-19.2 (exploitation of a child),  
23 12-13 (criminal sexual assault),  
24 12-14 (aggravated criminal sexual assault),  
25 12-14.1 (predatory criminal sexual assault of a  
26 child),  
27 12-15 (criminal sexual abuse),  
28 12-16 (aggravated criminal sexual abuse),  
29 12-33 (ritualized abuse of a child).

30 An attempt to commit any of these offenses.

31 (1.5) A violation of any of the following Sections of  
32 the Criminal Code of 1961, when the victim is a person  
33 under 18 years of age, the defendant is not a parent of the  
34 victim, the offense was sexually motivated as defined in  
35 Section 10 of the Sex Offender Management Board Act, and  
36 the offense was committed on or after January 1, 1996:



1           10-1 (kidnapping),  
2           10-2 (aggravated kidnapping),  
3           10-3 (unlawful restraint),  
4           10-3.1 (aggravated unlawful restraint).

5           ~~An attempt to commit any of these offenses.~~

6           (1.6) First degree murder under Section 9-1 of the  
7 Criminal Code of 1961, when the victim was a person under  
8 18 years of age and the defendant was at least 17 years of  
9 age at the time of the commission of the offense, provided  
10 the offense was sexually motivated as defined in Section 10  
11 of the Sex Offender Management Board Act.

12           (1.7) (Blank).

13           (1.8) A violation or attempted violation of Section  
14 11-11 (sexual relations within families) of the Criminal  
15 Code of 1961, and the offense was committed on or after  
16 June 1, 1997.

17           (1.9) Child abduction under paragraph (10) of  
18 subsection (b) of Section 10-5 of the Criminal Code of 1961  
19 committed by luring or attempting to lure a child under the  
20 age of 16 into a motor vehicle, building, house trailer, or  
21 dwelling place without the consent of the parent or lawful  
22 custodian of the child for other than a lawful purpose and  
23 the offense was committed on or after January 1, 1998, and  
24 provided the offense was sexually motivated as defined in  
25 Section 10 of the Sex Offender Management Board Act.

26           (1.10) A violation or attempted violation of any of the  
27 following Sections of the Criminal Code of 1961 when the  
28 offense was committed on or after July 1, 1999:

29           10-4 (forcible detention, if the victim is under 18  
30 years of age), provided the offense was sexually  
31 motivated as defined in Section 10 of the Sex Offender  
32 Management Board Act,

33           11-6.5 (indecent solicitation of an adult),

34           11-15 (soliciting for a prostitute, if the victim  
35 is under 18 years of age),

36           11-16 (pandering, if the victim is under 18 years

1 of age),

2 11-18 (patronizing a prostitute, if the victim is  
3 under 18 years of age),

4 11-19 (pimping, if the victim is under 18 years of  
5 age).

6 (1.11) A violation or attempted violation of any of the  
7 following Sections of the Criminal Code of 1961 when the  
8 offense was committed on or after August 22, 2002:

9 11-9 (public indecency for a third or subsequent  
10 conviction).

11 (1.12) A violation or attempted violation of Section  
12 5.1 of the Wrongs to Children Act (permitting sexual abuse)  
13 when the offense was committed on or after August 22, 2002.

14 (2) A violation of any former law of this State  
15 substantially equivalent to any offense listed in  
16 subsection (B) of this Section.

17 (C) A conviction for an offense of federal law, Uniform  
18 Code of Military Justice, or the law of another state or a  
19 foreign country that is substantially equivalent to any offense  
20 listed in subsections (B), (C), and (E) of this Section shall  
21 constitute a conviction for the purpose of this Article. A  
22 finding or adjudication as a sexually dangerous person or a  
23 sexually violent person under any federal law, Uniform Code of  
24 Military Justice, or the law of another state or foreign  
25 country that is substantially equivalent to the Sexually  
26 Dangerous Persons Act or the Sexually Violent Persons  
27 Commitment Act shall constitute an adjudication for the  
28 purposes of this Article.

29 (C-5) A person at least 17 years of age at the time of the  
30 commission of the offense who is convicted of first degree  
31 murder under Section 9-1 of the Criminal Code of 1961, against  
32 a person under 18 years of age, shall be required to register  
33 for natural life. A conviction for an offense of federal,  
34 Uniform Code of Military Justice, sister state, or foreign  
35 country law that is substantially equivalent to any offense  
36 listed in subsection (C-5) of this Section shall constitute a

1 conviction for the purpose of this Article. This subsection  
2 (C-5) applies to a person who committed the offense before June  
3 1, 1996 only if the person is incarcerated in an Illinois  
4 Department of Corrections facility on August 20, 2004 (the  
5 effective date of Public Act 93-977).

6 (D) As used in this Article, "law enforcement agency having  
7 jurisdiction" means the Chief of Police in each of the  
8 municipalities in which the sex offender expects to reside,  
9 work, or attend school (1) upon his or her discharge, parole or  
10 release or (2) during the service of his or her sentence of  
11 probation or conditional discharge, or the Sheriff of the  
12 county, in the event no Police Chief exists or if the offender  
13 intends to reside, work, or attend school in an unincorporated  
14 area. "Law enforcement agency having jurisdiction" includes  
15 the location where out-of-state students attend school and  
16 where out-of-state employees are employed or are otherwise  
17 required to register.

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

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

23 (1) Convicted for an offense of federal, Uniform Code  
24 of Military Justice, sister state, or foreign country law  
25 that is substantially equivalent to any offense listed in  
26 subsection (E) of this Section shall constitute a  
27 conviction for the purpose of this Article. Convicted of a  
28 violation or attempted violation of any of the following  
29 Sections of the Criminal Code of 1961, if the conviction  
30 occurred after July 1, 1999:

31 11-17.1 (keeping a place of juvenile  
32 prostitution),

33 11-19.1 (juvenile pimping),

34 11-19.2 (exploitation of a child),

35 11-20.1 (child pornography),

36 12-13 (criminal sexual assault),

1 12-14 (aggravated criminal sexual assault),  
2 12-14.1 (predatory criminal sexual assault of a  
3 child),

4 12-16 (aggravated criminal sexual abuse),  
5 12-33 (ritualized abuse of a child); or

6 (2) (Blank) ~~convicted of first degree murder under~~  
7 ~~Section 9-1 of the Criminal Code of 1961, when the victim~~  
8 ~~was a person under 18 years of age and the defendant was at~~  
9 ~~least 17 years of age at the time of the commission of the~~  
10 ~~offense; or~~

11 (3) certified as a sexually dangerous person pursuant  
12 to the Sexually Dangerous Persons Act or any substantially  
13 similar federal, Uniform Code of Military Justice, sister  
14 state, or foreign country law; or

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

19 (5) convicted of a second or subsequent offense which  
20 requires registration pursuant to this Act. The conviction  
21 for the second or subsequent offense must have occurred  
22 after July 1, 1999. For purposes of this paragraph (5),  
23 "convicted" shall include a conviction under any  
24 substantially similar Illinois, federal, Uniform Code of  
25 Military Justice, sister state, or foreign country law.

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

33 (G) As used in this Article, "out-of-state employee" means  
34 any sex offender, as defined in this Section, or sexual  
35 predator who works in Illinois, regardless of whether the  
36 individual receives payment for services performed, for a

1 period of time of 10 or more days or for an aggregate period of  
2 time of 30 or more days during any calendar year. Persons who  
3 operate motor vehicles in the State accrue one day of  
4 employment time for any portion of a day spent in Illinois.

5 (H) As used in this Article, "school" means any public or  
6 private educational institution, including, but not limited  
7 to, any elementary or secondary school, trade or professional  
8 institution, or institution of higher education.

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

12 (Source: P.A. 93-977, eff. 8-20-04; 93-979, eff. 8-20-04;  
13 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; revised 8-19-05.)

14 (730 ILCS 150/8) (from Ch. 38, par. 228)

15 Sec. 8. Registration Requirements. Registration as  
16 required by this Article shall consist of a statement in  
17 writing signed by the person giving the information that is  
18 required by the Department of State Police, which may include  
19 the fingerprints and must include a current photograph of the  
20 person, to be updated annually. If the sex offender is a child  
21 sex offender as defined in Section 11-9.3 or 11-9.4 of the  
22 Criminal Code of 1961, he or she shall sign a statement that he  
23 or she understands that according to Illinois law as a child  
24 sex offender he or she may not reside within 500 feet of a  
25 school, park, or playground. The offender may also not reside  
26 within 500 feet of a facility providing services directed  
27 exclusively toward persons under 18 years of age unless the sex  
28 offender meets specified exemptions. The registration  
29 information must include whether the person is a sex offender  
30 as defined in the Sex Offender ~~and Child Murderer~~ Community  
31 Notification Law. Within 3 days, the registering law  
32 enforcement agency shall forward any required information to  
33 the Department of State Police. The registering law enforcement  
34 agency shall enter the information into the Law Enforcement  
35 Agencies Data System (LEADS) as provided in Sections 6 and 7 of

1 the Intergovernmental Missing Child Recovery Act of 1984.  
2 (Source: P.A. 93-979, eff. 8-20-04; 94-166, eff. 1-1-06.)

3 (730 ILCS 150/9) (from Ch. 38, par. 229)

4 Sec. 9. Public inspection of registration data. Except as  
5 provided in the Sex Offender ~~and Child Murderer~~ Community  
6 Notification Law, the statements or any other information  
7 required by this Article shall not be open to inspection by the  
8 public, or by any person other than by a law enforcement  
9 officer or other individual as may be authorized by law and  
10 shall include law enforcement agencies of this State, any other  
11 state, or of the federal government. Similar information may be  
12 requested from any law enforcement agency of another state or  
13 of the federal government for purposes of this Act. It is a  
14 Class B misdemeanor to permit the unauthorized release of any  
15 information required by this Article.

16 (Source: P.A. 89-428, eff. 6-1-96; 89-462, eff. 6-1-96; 90-193,  
17 eff. 7-24-97.)

18 Section 1030. The Sex Offender and Child Murderer Community  
19 Notification Law is amended by changing Section 101 as follows:

20 (730 ILCS 152/101)

21 Sec. 101. Short title. This Article may be cited as the Sex  
22 Offender ~~and Child Murderer~~ Community Notification Law.

23 (Source: P.A. 89-428, eff. 6-1-96; 89-462, eff. 6-1-96; 90-193,  
24 eff. 7-24-97.)

25 Section 9999. Effective date. This Act takes effect upon  
26 becoming law.