



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0014

Introduced 1/31/2007, by Sen. Emil Jones, Jr.

SYNOPSIS AS INTRODUCED:

730 ILCS 150/3	from Ch. 38, par. 223
730 ILCS 150/6	from Ch. 38, par. 226
730 ILCS 152/120	

Amends the Sex Offender Registration Act. Provides that when a sex offender registers with the appropriate law enforcement agency, he or she shall provide the law enforcement agency with all e-mail addresses, instant messaging identities, chat room identities, and other Internet communications identities that the sex offender uses or plans to use, all Uniform Resource Locators (URLs) registered or used by the sex offender, and all blogs and other Internet sites maintained by the sex offender or to which the sex offender has uploaded any content or posted any messages or information. Amends the Sex Offender Community Notification Law. Provides for disclosure of such information to the public. Effective immediately.

LRB095 06358 RLC 26454 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning sex offenders.

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

4 Section 5. The Sex Offender Registration Act is amended by
5 changing Sections 3 and 6 as follows:

6 (730 ILCS 150/3) (from Ch. 38, par. 223)

7 Sec. 3. Duty to register.

8 (a) A sex offender, as defined in Section 2 of this Act, or
9 sexual predator shall, within the time period prescribed in
10 subsections (b) and (c), register in person and provide
11 accurate information as required by the Department of State
12 Police. Such information shall include a current photograph,
13 current address, current place of employment, the employer's
14 telephone number, school attended, all e-mail addresses,
15 instant messaging identities, chat room identities, and other
16 Internet communications identities that the sex offender uses
17 or plans to use, all Uniform Resource Locators (URLs)
18 registered or used by the sex offender, all blogs and other
19 Internet sites maintained by the sex offender or to which the
20 sex offender has uploaded any content or posted any messages or
21 information, extensions of the time period for registering as
22 provided in this Article and, if an extension was granted, the
23 reason why the extension was granted and the date the sex

1 offender was notified of the extension. The information shall
2 also include the county of conviction, license plate numbers
3 for every vehicle registered in the name of the sex offender,
4 the age of the sex offender at the time of the commission of
5 the offense, the age of the victim at the time of the
6 commission of the offense, and any distinguishing marks located
7 on the body of the sex offender. A person who has been
8 adjudicated a juvenile delinquent for an act which, if
9 committed by an adult, would be a sex offense shall register as
10 an adult sex offender within 10 days after attaining 17 years
11 of age. The sex offender or sexual predator shall register:

12 (1) with the chief of police in the municipality in
13 which he or she resides or is temporarily domiciled for a
14 period of time of 5 or more days, unless the municipality
15 is the City of Chicago, in which case he or she shall
16 register at the Chicago Police Department Headquarters; or

17 (2) with the sheriff in the county in which he or she
18 resides or is temporarily domiciled for a period of time of
19 5 or more days in an unincorporated area or, if
20 incorporated, no police chief exists.

21 If the sex offender or sexual predator is employed at or
22 attends an institution of higher education, he or she shall
23 register:

24 (i) with the chief of police in the municipality in
25 which he or she is employed at or attends an institution of
26 higher education, unless the municipality is the City of

1 Chicago, in which case he or she shall register at the
2 Chicago Police Department Headquarters; or

3 (ii) with the sheriff in the county in which he or she
4 is employed or attends an institution of higher education
5 located in an unincorporated area, or if incorporated, no
6 police chief exists.

7 For purposes of this Article, the place of residence or
8 temporary domicile is defined as any and all places where the
9 sex offender resides for an aggregate period of time of 5 or
10 more days during any calendar year. Any person required to
11 register under this Article who lacks a fixed address or
12 temporary domicile must notify, in person, the agency of
13 jurisdiction of his or her last known address within 5 days
14 after ceasing to have a fixed residence.

15 Any person who lacks a fixed residence must report weekly,
16 in person, with the sheriff's office of the county in which he
17 or she is located in an unincorporated area, or with the chief
18 of police in the municipality in which he or she is located.
19 The agency of jurisdiction will document each weekly
20 registration to include all the locations where the person has
21 stayed during the past 7 days.

22 The sex offender or sexual predator shall provide accurate
23 information as required by the Department of State Police. That
24 information shall include the sex offender's or sexual
25 predator's current place of employment.

26 (a-5) An out-of-state student or out-of-state employee

1 shall, within 5 days after beginning school or employment in
2 this State, register in person and provide accurate information
3 as required by the Department of State Police. Such information
4 will include current place of employment, school attended, and
5 address in state of residence. The out-of-state student or
6 out-of-state employee shall register:

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

14 (2) with the sheriff in the county in which he or she
15 attends school or is employed for a period of time of 5 or
16 more days or for an aggregate period of time of more than
17 30 days during any calendar year in an unincorporated area
18 or, if incorporated, no police chief exists.

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

24 (b) Any sex offender, as defined in Section 2 of this Act,
25 or sexual predator, regardless of any initial, prior, or other
26 registration, shall, within 5 days of beginning school, or

1 establishing a residence, place of employment, or temporary
2 domicile in any county, register in person as set forth in
3 subsection (a) or (a-5).

4 (c) The registration for any person required to register
5 under this Article shall be as follows:

6 (1) Any person registered under the Habitual Child Sex
7 Offender Registration Act or the Child Sex Offender
8 Registration Act prior to January 1, 1996, shall be deemed
9 initially registered as of January 1, 1996; however, this
10 shall not be construed to extend the duration of
11 registration set forth in Section 7.

12 (2) Except as provided in subsection (c)(4), any person
13 convicted or adjudicated prior to January 1, 1996, whose
14 liability for registration under Section 7 has not expired,
15 shall register in person prior to January 31, 1996.

16 (2.5) Except as provided in subsection (c)(4), any
17 person who has not been notified of his or her
18 responsibility to register shall be notified by a criminal
19 justice entity of his or her responsibility to register.
20 Upon notification the person must then register within 5
21 days of notification of his or her requirement to register.
22 If notification is not made within the offender's 10 year
23 registration requirement, and the Department of State
24 Police determines no evidence exists or indicates the
25 offender attempted to avoid registration, the offender
26 will no longer be required to register under this Act.

1 (3) Except as provided in subsection (c) (4), any person
2 convicted on or after January 1, 1996, shall register in
3 person within 5 days after the entry of the sentencing
4 order based upon his or her conviction.

5 (4) Any person unable to comply with the registration
6 requirements of this Article because he or she is confined,
7 institutionalized, or imprisoned in Illinois on or after
8 January 1, 1996, shall register in person within 5 days of
9 discharge, parole or release.

10 (5) The person shall provide positive identification
11 and documentation that substantiates proof of residence at
12 the registering address.

13 (6) The person shall pay a \$20 initial registration fee
14 and a \$10 annual renewal fee. The fees shall be used by the
15 registering agency for official purposes. The agency shall
16 establish procedures to document receipt and use of the
17 funds. The law enforcement agency having jurisdiction may
18 waive the registration fee if it determines that the person
19 is indigent and unable to pay the registration fee. Ten
20 dollars for the initial registration fee and \$5 of the
21 annual renewal fee shall be used by the registering agency
22 for official purposes. Ten dollars of the initial
23 registration fee and \$5 of the annual fee shall be
24 deposited into the Sex Offender Management Board Fund under
25 Section 19 of the Sex Offender Management Board Act. Money
26 deposited into the Sex Offender Management Board Fund shall

1 be administered by the Sex Offender Management Board and
2 shall be used to fund practices endorsed or required by the
3 Sex Offender Management Board Act including but not limited
4 to sex offenders evaluation, treatment, or monitoring
5 programs that are or may be developed, as well as for
6 administrative costs, including staff, incurred by the
7 Board.

8 (d) Within 5 days after obtaining or changing employment
9 and, if employed on January 1, 2000, within 5 days after that
10 date, a person required to register under this Section must
11 report, in person to the law enforcement agency having
12 jurisdiction, the business name and address where he or she is
13 employed. If the person has multiple businesses or work
14 locations, every business and work location must be reported to
15 the law enforcement agency having jurisdiction.

16 (Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04;
17 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07.)

18 (730 ILCS 150/6) (from Ch. 38, par. 226)

19 Sec. 6. Duty to report; change of address, school, or
20 employment; duty to inform. A person who has been adjudicated
21 to be sexually dangerous or is a sexually violent person and is
22 later released, or found to be no longer sexually dangerous or
23 no longer a sexually violent person and discharged, or
24 convicted of a violation of this Act after July 1, 2005, shall
25 report in person to the law enforcement agency with whom he or

1 she last registered no later than 90 days after the date of his
2 or her last registration and every 90 days thereafter and at
3 such other times at the request of the law enforcement agency
4 not to exceed 4 times a year. Such sexually dangerous or
5 sexually violent person must report all new or changed e-mail
6 addresses, all new or changed instant messaging identities, all
7 new or changed chat room identities, and all other new or
8 changed Internet communications identities that the sexually
9 dangerous or sexually violent person uses or plans to use, all
10 new or changed Uniform Resource Locators (URLs) registered or
11 used by the sexually dangerous or sexually violent person, and
12 all new or changed blogs and other Internet sites maintained by
13 the sexually dangerous or sexually violent person or to which
14 the sexually dangerous or sexually violent person has uploaded
15 any content or posted any messages or information. Any person
16 who lacks a fixed residence must report weekly, in person, to
17 the appropriate law enforcement agency where the sex offender
18 is located. Any other person who is required to register under
19 this Article shall report in person to the appropriate law
20 enforcement agency with whom he or she last registered within
21 one year from the date of last registration and every year
22 thereafter and at such other times at the request of the law
23 enforcement agency not to exceed 4 times a year. If any person
24 required to register under this Article lacks a fixed residence
25 or temporary domicile, he or she must notify, in person, the
26 agency of jurisdiction of his or her last known address within

1 5 days after ceasing to have a fixed residence and if the
2 offender leaves the last jurisdiction of residence, he or she,
3 must within 48 hours after leaving register in person with the
4 new agency of jurisdiction. If any other person required to
5 register under this Article changes his or her residence
6 address, place of employment, or school, he or she shall report
7 in person to ~~5~~ the law enforcement agency with whom he or she
8 last registered of his or her new address, change in
9 employment, or school, all new or changed e-mail addresses, all
10 new or changed instant messaging identities, all new or changed
11 chat room identities, and all other new or changed Internet
12 communications identities that the sex offender uses or plans
13 to use, all new or changed Uniform Resource Locators (URLs)
14 registered or used by the sex offender, and all new or changed
15 blogs and other Internet sites maintained by the sex offender
16 or to which the sex offender has uploaded any content or posted
17 any messages or information, and register, in person, with the
18 appropriate law enforcement agency within the time period
19 specified in Section 3. The law enforcement agency shall,
20 within 3 days of the reporting in person by the person required
21 to register under this Article, notify the Department of State
22 Police of the new place of residence, change in employment, or
23 school.

24 If any person required to register under this Article
25 intends to establish a residence or employment outside of the
26 State of Illinois, at least 10 days before establishing that

1 residence or employment, he or she shall report in person to
2 the law enforcement agency with which he or she last registered
3 of his or her out-of-state intended residence or employment.
4 The law enforcement agency with which such person last
5 registered shall, within 3 days after the reporting in person
6 of the person required to register under this Article of an
7 address or employment change, notify the Department of State
8 Police. The Department of State Police shall forward such
9 information to the out-of-state law enforcement agency having
10 jurisdiction in the form and manner prescribed by the
11 Department of State Police.

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

14 Section 10. The Sex Offender Community Notification Law is
15 amended by changing Section 120 as follows:

16 (730 ILCS 152/120)

17 Sec. 120. Community notification of sex offenders.

18 (a) The sheriff of the county, except Cook County, shall
19 disclose to the following the name, address, date of birth,
20 place of employment, school attended, e-mail addresses,
21 instant messaging identities, chat room identities, other
22 Internet communications identities, all Uniform Resource
23 Locators (URLs) registered or used by the sex offender, all
24 blogs and other Internet sites maintained by the sex offender

1 or to which the sex offender has uploaded any content or posted
2 any messages or information, and offense or adjudication of all
3 sex offenders required to register under Section 3 of the Sex
4 Offender Registration Act:

5 (1) The boards of institutions of higher education or
6 other appropriate administrative offices of each
7 non-public institution of higher education located in the
8 county where the sex offender is required to register,
9 resides, is employed, or is attending an institution of
10 higher education; and

11 (2) School boards of public school districts and the
12 principal or other appropriate administrative officer of
13 each nonpublic school located in the county where the sex
14 offender is required to register or is employed; and

15 (3) Child care facilities located in the county where
16 the sex offender is required to register or is employed.

17 (a-2) The sheriff of Cook County shall disclose to the
18 following the name, address, date of birth, place of
19 employment, school attended, e-mail addresses, instant
20 messaging identities, chat room identities, other Internet
21 communications identities, all Uniform Resource Locators
22 (URLs) registered or used by the sex offender, all blogs and
23 other Internet sites maintained by the sex offender or to which
24 the sex offender has uploaded any content or posted any
25 messages or information, and offense or adjudication of all sex
26 offenders required to register under Section 3 of the Sex

1 Offender Registration Act:

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

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

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

19 (a-3) The Chicago Police Department shall disclose to the
20 following the name, address, date of birth, place of
21 employment, school attended, e-mail addresses, instant
22 messaging identities, chat room identities, other Internet
23 communications identities, all Uniform Resource Locators
24 (URLs) registered or used by the sex offender, all blogs and
25 other Internet sites maintained by the sex offender or to which
26 the sex offender has uploaded any content or posted any

1 messages or information, and offense or adjudication of all sex
2 offenders required to register under Section 3 of the Sex
3 Offender Registration Act:

4 (1) School boards of public school districts and the
5 principal or other appropriate administrative officer of
6 each nonpublic school located in the police district where
7 the sex offender is required to register or is employed if
8 the offender is required to register or is employed in the
9 City of Chicago; and

10 (2) Child care facilities located in the police
11 district where the sex offender is required to register or
12 is employed if the offender is required to register or is
13 employed in the City of Chicago; and

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

20 (a-4) The Department of State Police shall provide a list
21 of sex offenders required to register to the Illinois
22 Department of Children and Family Services.

23 (b) The Department of State Police and any law enforcement
24 agency may disclose, in the Department's or agency's
25 discretion, the following information to any person likely to
26 encounter a sex offender, or sexual predator:

1 (1) The offender's name, address, ~~and~~ date of birth,
2 e-mail addresses, instant messaging identities, chat room
3 identities, and other Internet communications identities,
4 all Uniform Resource Locators (URLs) registered or used by
5 the sex offender, and all blogs and other Internet sites
6 maintained by the sex offender or to which the sex offender
7 has uploaded any content or posted any messages or
8 information.

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

10 (3) Adjudication as a sexually dangerous person.

11 (4) The offender's photograph or other such
12 information that will help identify the sex offender.

13 (5) Offender employment information, to protect public
14 safety.

15 (c) The name, address, date of birth, e-mail addresses,
16 instant messaging identities, chat room identities, other
17 Internet communications identities, all Uniform Resource
18 Locators (URLs) registered or used by the sex offender, all
19 blogs and other Internet sites maintained by the sex offender
20 or to which the sex offender has uploaded any content or posted
21 any messages or information, offense or adjudication, the
22 county of conviction, license plate numbers for every vehicle
23 registered in the name of the sex offender, the age of the sex
24 offender at the time of the commission of the offense, the age
25 of the victim at the time of the commission of the offense, and
26 any distinguishing marks located on the body of the sex

1 offender for sex offenders required to register under Section 3
2 of the Sex Offender Registration Act shall be open to
3 inspection by the public as provided in this Section. Every
4 municipal police department shall make available at its
5 headquarters the information on all sex offenders who are
6 required to register in the municipality under the Sex Offender
7 Registration Act. The sheriff shall also make available at his
8 or her headquarters the information on all sex offenders who
9 are required to register under that Act and who live in
10 unincorporated areas of the county. Sex offender information
11 must be made available for public inspection to any person, no
12 later than 72 hours or 3 business days from the date of the
13 request. The request must be made in person, in writing, or by
14 telephone. Availability must include giving the inquirer
15 access to a facility where the information may be copied. A
16 department or sheriff may charge a fee, but the fee may not
17 exceed the actual costs of copying the information. An inquirer
18 must be allowed to copy this information in his or her own
19 handwriting. A department or sheriff must allow access to the
20 information during normal public working hours. The sheriff or
21 a municipal police department may publish the photographs of
22 sex offenders where any victim was 13 years of age or younger
23 and who are required to register in the municipality or county
24 under the Sex Offender Registration Act in a newspaper or
25 magazine of general circulation in the municipality or county
26 or may disseminate the photographs of those sex offenders on

1 the Internet or on television. The law enforcement agency may
2 make available the information on all sex offenders residing
3 within any county.

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

8 (e) (Blank).

9 (f) The administrator of a transitional housing facility
10 for sex offenders shall comply with the notification procedures
11 established in paragraph (4) of subsection (b) of Section
12 3-17-5 of the Unified Code of Corrections.

13 (g) A principal or teacher of a public or private
14 elementary or secondary school shall notify the parents of
15 children attending the school during school registration or
16 during parent-teacher conferences that information about sex
17 offenders is available to the public as provided in this Act.

18 (Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06;
19 94-994, eff. 1-1-07.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.