



Judiciary II - Criminal Law Committee

**Filed: 5/24/2007**

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LRB095 10951 RLC 36144 a

1 AMENDMENT TO SENATE BILL 697

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 697 on page 14 by  
3 replacing lines 7 and 8 with the following:

4 "Section 10. The Unified Code of Corrections is amended by  
5 changing Sections 3-3-7 and 5-5-3 and by adding Section 5-4-3.2  
6 as follows:

7 (730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

8 Sec. 3-3-7. Conditions of Parole or Mandatory Supervised  
9 Release.

10 (a) The conditions of parole or mandatory supervised  
11 release shall be such as the Prisoner Review Board deems  
12 necessary to assist the subject in leading a law-abiding life.  
13 The conditions of every parole and mandatory supervised release  
14 are that the subject:

15 (1) not violate any criminal statute of any  
16 jurisdiction during the parole or release term;

1           (2) refrain from possessing a firearm or other  
2 dangerous weapon;

3           (3) report to an agent of the Department of  
4 Corrections;

5           (4) permit the agent to visit him or her at his or her  
6 home, employment, or elsewhere to the extent necessary for  
7 the agent to discharge his or her duties;

8           (5) attend or reside in a facility established for the  
9 instruction or residence of persons on parole or mandatory  
10 supervised release;

11           (6) secure permission before visiting or writing a  
12 committed person in an Illinois Department of Corrections  
13 facility;

14           (7) report all arrests to an agent of the Department of  
15 Corrections as soon as permitted by the arresting authority  
16 but in no event later than 24 hours after release from  
17 custody;

18           (7.5) if convicted of a sex offense as defined in the  
19 Sex Offender Management Board Act, the individual shall  
20 undergo and successfully complete sex offender treatment  
21 conducted in conformance with the standards developed by  
22 the Sex Offender Management Board Act by a treatment  
23 provider approved by the Board;

24           (7.6) if convicted of a sex offense as defined in the  
25 Sex Offender Management Board Act, refrain from residing at  
26 the same address or in the same condominium unit or

1 apartment unit or in the same condominium complex or  
2 apartment complex with another person he or she knows or  
3 reasonably should know is a convicted sex offender or has  
4 been placed on supervision for a sex offense; the  
5 provisions of this paragraph do not apply to a person  
6 convicted of a sex offense who is placed in a Department of  
7 Corrections licensed transitional housing facility for sex  
8 offenders, or is in any facility operated or licensed by  
9 the Department of Children and Family Services or by the  
10 Department of Human Services, or is in any licensed medical  
11 facility;

12 (7.7) if convicted for an offense that would qualify  
13 the accused as a sexual predator under the Sex Offender  
14 Registration Act on or after the effective date of this  
15 amendatory Act of the 94th General Assembly, wear an  
16 approved electronic monitoring device as defined in  
17 Section 5-8A-2 for the duration of the person's parole,  
18 mandatory supervised release term, or extended mandatory  
19 supervised release term, provided funding is appropriated  
20 by the General Assembly;

21 (7.8) if convicted under Section 11-6, 11-20.1,  
22 11-20.3, or 11-21 of the Criminal Code of 1961, consent to  
23 search of computers, PDAs, cellular phones, and other  
24 devices under his or her control that are capable of  
25 accessing the Internet or storing electronic files, in  
26 order to confirm Internet protocol addresses reported in

1 accordance with the Sex Offender Registration Act and  
2 compliance with conditions in this Act;

3 (8) obtain permission of an agent of the Department of  
4 Corrections before leaving the State of Illinois;

5 (9) obtain permission of an agent of the Department of  
6 Corrections before changing his or her residence or  
7 employment;

8 (10) consent to a search of his or her person,  
9 property, or residence under his or her control;

10 (11) refrain from the use or possession of narcotics or  
11 other controlled substances in any form, or both, or any  
12 paraphernalia related to those substances and submit to a  
13 urinalysis test as instructed by a parole agent of the  
14 Department of Corrections;

15 (12) not frequent places where controlled substances  
16 are illegally sold, used, distributed, or administered;

17 (13) not knowingly associate with other persons on  
18 parole or mandatory supervised release without prior  
19 written permission of his or her parole agent and not  
20 associate with persons who are members of an organized gang  
21 as that term is defined in the Illinois Streetgang  
22 Terrorism Omnibus Prevention Act;

23 (14) provide true and accurate information, as it  
24 relates to his or her adjustment in the community while on  
25 parole or mandatory supervised release or to his or her  
26 conduct while incarcerated, in response to inquiries by his

1 or her parole agent or of the Department of Corrections;

2 (15) follow any specific instructions provided by the  
3 parole agent that are consistent with furthering  
4 conditions set and approved by the Prisoner Review Board or  
5 by law, exclusive of placement on electronic detention, to  
6 achieve the goals and objectives of his or her parole or  
7 mandatory supervised release or to protect the public.  
8 These instructions by the parole agent may be modified at  
9 any time, as the agent deems appropriate; and

10 (16) if convicted of a sex offense as defined in  
11 subsection (a-5) of Section 3-1-2 of this Code, unless the  
12 offender is a parent or guardian of the person under 18  
13 years of age present in the home and no non-familial minors  
14 are present, not participate in a holiday event involving  
15 children under 18 years of age, such as distributing candy  
16 or other items to children on Halloween, wearing a Santa  
17 Claus costume on or preceding Christmas, being employed as  
18 a department store Santa Claus, or wearing an Easter Bunny  
19 costume on or preceding Easter.

20 (b) The Board may in addition to other conditions require  
21 that the subject:

22 (1) work or pursue a course of study or vocational  
23 training;

24 (2) undergo medical or psychiatric treatment, or  
25 treatment for drug addiction or alcoholism;

26 (3) attend or reside in a facility established for the

1 instruction or residence of persons on probation or parole;

2 (4) support his dependents;

3 (5) (blank);

4 (6) (blank);

5 (7) comply with the terms and conditions of an order of  
6 protection issued pursuant to the Illinois Domestic  
7 Violence Act of 1986, enacted by the 84th General Assembly,  
8 or an order of protection issued by the court of another  
9 state, tribe, or United States territory; and

10 (8) in addition, if a minor:

11 (i) reside with his parents or in a foster home;

12 (ii) attend school;

13 (iii) attend a non-residential program for youth;

14 or

15 (iv) contribute to his own support at home or in a  
16 foster home.

17 (b-1) In addition to the conditions set forth in  
18 subsections (a) and (b), persons required to register as sex  
19 offenders pursuant to the Sex Offender Registration Act, upon  
20 release from the custody of the Illinois Department of  
21 Corrections, may be required by the Board to comply with the  
22 following specific conditions of release:

23 (1) reside only at a Department approved location;

24 (2) comply with all requirements of the Sex Offender  
25 Registration Act;

26 (3) notify third parties of the risks that may be

1 occasioned by his or her criminal record;

2 (4) obtain the approval of an agent of the Department  
3 of Corrections prior to accepting employment or pursuing a  
4 course of study or vocational training and notify the  
5 Department prior to any change in employment, study, or  
6 training;

7 (5) not be employed or participate in any volunteer  
8 activity that involves contact with children, except under  
9 circumstances approved in advance and in writing by an  
10 agent of the Department of Corrections;

11 (6) be electronically monitored for a minimum of 12  
12 months from the date of release as determined by the Board;

13 (7) refrain from entering into a designated geographic  
14 area except upon terms approved in advance by an agent of  
15 the Department of Corrections. The terms may include  
16 consideration of the purpose of the entry, the time of day,  
17 and others accompanying the person;

18 (8) refrain from having any contact, including written  
19 or oral communications, directly or indirectly, personally  
20 or by telephone, letter, or through a third party with  
21 certain specified persons including, but not limited to,  
22 the victim or the victim's family without the prior written  
23 approval of an agent of the Department of Corrections;

24 (9) refrain from all contact, directly or indirectly,  
25 personally, by telephone, letter, or through a third party,  
26 with minor children without prior identification and

1 approval of an agent of the Department of Corrections;

2 (10) neither possess or have under his or her control  
3 any material that is sexually oriented, sexually  
4 stimulating, or that shows male or female sex organs or any  
5 pictures depicting children under 18 years of age nude or  
6 any written or audio material describing sexual  
7 intercourse or that depicts or alludes to sexual activity,  
8 including but not limited to visual, auditory, telephonic,  
9 or electronic media, or any matter obtained through access  
10 to any computer or material linked to computer access use;

11 (11) not patronize any business providing sexually  
12 stimulating or sexually oriented entertainment nor utilize  
13 "900" or adult telephone numbers;

14 (12) not reside near, visit, or be in or about parks,  
15 schools, day care centers, swimming pools, beaches,  
16 theaters, or any other places where minor children  
17 congregate without advance approval of an agent of the  
18 Department of Corrections and immediately report any  
19 incidental contact with minor children to the Department;

20 (13) not possess or have under his or her control  
21 certain specified items of contraband related to the  
22 incidence of sexually offending as determined by an agent  
23 of the Department of Corrections;

24 (14) may be required to provide a written daily log of  
25 activities if directed by an agent of the Department of  
26 Corrections;



1           (15) comply with all other special conditions that the  
2           Department may impose that restrict the person from  
3           high-risk situations and limit access to potential  
4           victims.

5           (c) The conditions under which the parole or mandatory  
6           supervised release is to be served shall be communicated to the  
7           person in writing prior to his release, and he shall sign the  
8           same before release. A signed copy of these conditions,  
9           including a copy of an order of protection where one had been  
10          issued by the criminal court, shall be retained by the person  
11          and another copy forwarded to the officer in charge of his  
12          supervision.

13          (d) After a hearing under Section 3-3-9, the Prisoner  
14          Review Board may modify or enlarge the conditions of parole or  
15          mandatory supervised release.

16          (e) The Department shall inform all offenders committed to  
17          the Department of the optional services available to them upon  
18          release and shall assist inmates in availing themselves of such  
19          optional services upon their release on a voluntary basis.

20          (Source: P.A. 93-616, eff. 1-1-04; 93-865, eff. 1-1-05; 94-159,  
21          eff. 7-11-05; 94-161, eff. 7-11-05; 94-988, eff. 1-1-07.)

22                   (730 ILCS 5/5-4-3.2 new)

23                   Sec. 5-4-3.2. Collection and storage of Internet protocol  
24                   addresses.

25                   (a) Cyber-crimes Location Database. The Attorney General

1 is hereby authorized to establish and maintain the "Illinois  
2 Cyber-crimes Location Database" (ICLD) to collect, store, and  
3 use Internet protocol (IP) addresses for purposes of  
4 investigating and prosecuting child exploitation crimes on the  
5 Internet.

6 (b) "Internet protocol address" means the string of numbers  
7 by which a location on the Internet is identified by routers or  
8 other computers connected to the Internet.

9 (c) Collection of Internet Protocol addresses.

10 (1) Collection upon commitment under the Sexually  
11 Dangerous Persons Act. Upon motion for a defendant's  
12 confinement under the Sexually Dangerous Persons Act for  
13 criminal charges under Section 11-6, 11-20.1, 11-20.3, or  
14 11-21 of the Criminal Code of 1961, the State's Attorney or  
15 Attorney General shall record all Internet protocol (IP)  
16 addresses which the defendant may access from his or her  
17 residence or place of employment, registered in his or her  
18 name, or otherwise has under his or her control or custody.

19 (2) Collection upon conviction. Upon conviction for  
20 crimes under Section 11-6, 11-20.1, 11-20.3, or 11-21 of  
21 the Criminal Code of 1961, a State's Attorney shall record  
22 from defendants all Internet protocol (IP) addresses which  
23 the defendant may access from his or her residence or place  
24 of employment, registered in his or her name, or otherwise  
25 has under his or her control or custody, regardless of the  
26 sentence or disposition imposed.

1       (d) Storage and use of the Database. Internet protocol (IP)  
2 addresses recorded pursuant to this Section shall be submitted  
3 to the Attorney General for storage and use in the Illinois  
4 Cyber-crimes Location Database. The Attorney General and its  
5 designated agents may access the database for the purpose of  
6 investigation and prosecution of crimes listed in this Section.  
7 In addition, the Attorney General is authorized to share  
8 information stored in the database with the National Center for  
9 Missing and Exploited Children (NCMEC) and any federal, state,  
10 or local law enforcement agencies for the investigation or  
11 prosecution of child exploitation crimes."; and

12 on page 33, by replacing lines 13 and 14 with the following:

13       "Section 15. The Sex Offender Registration Act is amended  
14 by changing Sections 2, 3, 8-5, and 10 as follows:"; and

15 on page 43, by inserting immediately below line 10 the  
16 following:

17       "(J) As used in this Article, "Internet protocol address"  
18 means the string of numbers by which a location on the Internet  
19 is identified by routers or other computers connected to the  
20 Internet."; and

21 on page 43, by inserting immediately below line 13 the  
22 following:

1           "(730 ILCS 150/3) (from Ch. 38, par. 223)

2           Sec. 3. Duty to register.

3           (a) A sex offender, as defined in Section 2 of this Act, or  
4 sexual predator shall, within the time period prescribed in  
5 subsections (b) and (c), register in person and provide  
6 accurate information as required by the Department of State  
7 Police. Such information shall include a current photograph,  
8 current address, current place of employment, the employer's  
9 telephone number, school attended, extensions of the time  
10 period for registering as provided in this Article and, if an  
11 extension was granted, the reason why the extension was granted  
12 and the date the sex offender was notified of the extension.  
13 The information shall also include the county of conviction,  
14 license plate numbers for every vehicle registered in the name  
15 of the sex offender, the age of the sex offender at the time of  
16 the commission of the offense, the age of the victim at the  
17 time of the commission of the offense, and any distinguishing  
18 marks located on the body of the sex offender. A sex offender  
19 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the  
20 Criminal Code of 1961 shall provide all Internet protocol (IP)  
21 addresses in his or her residence, registered in his or her  
22 name, accessible at his or her place of employment, or  
23 otherwise under his or her control or custody. A person who has  
24 been adjudicated a juvenile delinquent for an act which, if  
25 committed by an adult, would be a sex offense shall register as  
26 an adult sex offender within 10 days after attaining 17 years

1 of age. The sex offender or sexual predator shall register:

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

7 (2) with the sheriff in the county in which he or she  
8 resides or is temporarily domiciled for a period of time of  
9 5 or more days in an unincorporated area or, if  
10 incorporated, no police chief exists.

11 If the sex offender or sexual predator is employed at or  
12 attends an institution of higher education, he or she shall  
13 register:

14 (i) with the chief of police in the municipality in  
15 which he or she is employed at or attends an institution of  
16 higher education, unless the municipality is the City of  
17 Chicago, in which case he or she shall register at the  
18 Chicago Police Department Headquarters; or

19 (ii) with the sheriff in the county in which he or she  
20 is employed or attends an institution of higher education  
21 located in an unincorporated area, or if incorporated, no  
22 police chief exists.

23 For purposes of this Article, the place of residence or  
24 temporary domicile is defined as any and all places where the  
25 sex offender resides for an aggregate period of time of 5 or  
26 more days during any calendar year. Any person required to

1 register under this Article who lacks a fixed address or  
2 temporary domicile must notify, in person, the agency of  
3 jurisdiction of his or her last known address within 5 days  
4 after ceasing to have a fixed residence.

5 Any person who lacks a fixed residence must report weekly,  
6 in person, with the sheriff's office of the county in which he  
7 or she is located in an unincorporated area, or with the chief  
8 of police in the municipality in which he or she is located.  
9 The agency of jurisdiction will document each weekly  
10 registration to include all the locations where the person has  
11 stayed during the past 7 days.

12 The sex offender or sexual predator shall provide accurate  
13 information as required by the Department of State Police. That  
14 information shall include the sex offender's or sexual  
15 predator's current place of employment.

16 (a-5) An out-of-state student or out-of-state employee  
17 shall, within 5 days after beginning school or employment in  
18 this State, register in person and provide accurate information  
19 as required by the Department of State Police. Such information  
20 will include current place of employment, school attended, and  
21 address in state of residence. A sex offender convicted under  
22 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code  
23 of 1961 shall provide all Internet protocol (IP) addresses in  
24 his or her residence, registered in his or her name, accessible  
25 at his or her place of employment, or otherwise under his or  
26 her control or custody. The out-of-state student or

1 out-of-state employee shall register:

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

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

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

19 (a-10) Any law enforcement agency registering sex  
20 offenders or sexual predators in accordance with subsections  
21 (a) or (a-5) of this Section shall forward to the Attorney  
22 General a copy of sex offender registration forms from persons  
23 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the  
24 Criminal Code of 1961, including periodic and annual  
25 registrations under Section 6 of this Act.

26 (b) Any sex offender, as defined in Section 2 of this Act,

1 or sexual predator, regardless of any initial, prior, or other  
2 registration, shall, within 5 days of beginning school, or  
3 establishing a residence, place of employment, or temporary  
4 domicile in any county, register in person as set forth in  
5 subsection (a) or (a-5).

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

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

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

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



1 offender attempted to avoid registration, the offender  
2 will no longer be required to register under this Act.

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

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

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

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

1 Section 19 of the Sex Offender Management Board Act. Money  
2 deposited into the Sex Offender Management Board Fund shall  
3 be administered by the Sex Offender Management Board and  
4 shall be used to fund practices endorsed or required by the  
5 Sex Offender Management Board Act including but not limited  
6 to sex offenders evaluation, treatment, or monitoring  
7 programs that are or may be developed, as well as for  
8 administrative costs, including staff, incurred by the  
9 Board.

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

18 (Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04;  
19 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07.)

20 (730 ILCS 150/8-5)

21 Sec. 8-5. Verification requirements.

22 (a) Address verification. The agency having jurisdiction  
23 shall verify the address of sex offenders, as defined in  
24 Section 2 of this Act, or sexual predators required to register  
25 with their agency at least once per year. The verification must

1 be documented in LEADS in the form and manner required by the  
2 Department of State Police.

3 (a-5) Internet Protocol address verification. The agency  
4 having jurisdiction may verify the Internet protocol (IP)  
5 address of sex offenders, as defined in Section 2 of this Act,  
6 who are required to register with their agency under Section 3  
7 of this Act. A copy of any such verification must be sent to  
8 the Attorney General for entrance in the Illinois Cyber-crimes  
9 Location Database pursuant to Section 5-4-3.2 of the Unified  
10 Code of Corrections.

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

21 (c) In an effort to ensure that sexual predators and sex  
22 offenders who fail to respond to address-verification attempts  
23 or who otherwise abscond from registration are located in a  
24 timely manner, the Department of State Police shall share  
25 information with local law enforcement agencies. The  
26 Department shall use analytical resources to assist local law

1 enforcement agencies to determine the potential whereabouts of  
2 any sexual predator or sex offender who fails to respond to  
3 address-verification attempts or who otherwise absconds from  
4 registration. The Department shall review and analyze all  
5 available information concerning any such predator or offender  
6 who fails to respond to address-verification attempts or who  
7 otherwise absconds from registration and provide the  
8 information to local law enforcement agencies in order to  
9 assist the agencies in locating and apprehending the sexual  
10 predator or sex offender.

11 (Source: P.A. 93-979, eff. 8-20-04; 94-988, eff. 1-1-07.)

12 (730 ILCS 150/10) (from Ch. 38, par. 230)

13 Sec. 10. Penalty.

14 (a) Any person who is required to register under this  
15 Article who violates any of the provisions of this Article and  
16 any person who is required to register under this Article who  
17 seeks to change his or her name under Article 21 of the Code of  
18 Civil Procedure is guilty of a Class 3 felony. Any person who  
19 is convicted for a violation of this Act for a second or  
20 subsequent time is guilty of a Class 2 felony. Any person who  
21 is required to register under this Article who knowingly or  
22 wilfully gives material information required by this Article  
23 that is false is guilty of a Class 3 felony. Any person  
24 convicted of a violation of any provision of this Article  
25 shall, in addition to any other penalty required by law, be

1 required to serve a minimum period of 7 days confinement in the  
2 local county jail. The court shall impose a mandatory minimum  
3 fine of \$500 for failure to comply with any provision of this  
4 Article. These fines shall be deposited in the Sex Offender  
5 Registration Fund. Any sex offender, as defined in Section 2 of  
6 this Act, or sexual predator who violates any provision of this  
7 Article may be arrested and tried in any Illinois county where  
8 the sex offender can be located. The local police department or  
9 sheriff's office is not required to determine whether the  
10 person is living within its jurisdiction.

11 (b) Any person, not covered by privilege under Part 8 of  
12 Article VIII of the Code of Civil Procedure or the Illinois  
13 Supreme Court's Rules of Professional Conduct, who has reason  
14 to believe that a sexual predator is not complying, or has not  
15 complied, with the requirements of this Article and who, with  
16 the intent to assist the sexual predator in eluding a law  
17 enforcement agency that is seeking to find the sexual predator  
18 to question the sexual predator about, or to arrest the sexual  
19 predator for, his or her noncompliance with the requirements of  
20 this Article is guilty of a Class 3 felony if he or she:

21 (1) provides false information to the law enforcement  
22 agency having jurisdiction about the sexual predator's  
23 noncompliance with the requirements of this Article, and,  
24 if known, the whereabouts of the sexual predator;

25 (2) harbors, or attempts to harbor, or assists another  
26 person in harboring or attempting to harbor, the sexual

1 predator; or

2 (3) conceals or attempts to conceal, or assists another  
3 person in concealing or attempting to conceal, the sexual  
4 predator.

5 (c) Subsection (b) does not apply if the sexual predator is  
6 incarcerated in or is in the custody of a State correctional  
7 facility, a private correctional facility, a county or  
8 municipal jail, a State mental health facility or a State  
9 treatment and detention facility, or a federal correctional  
10 facility.

11 (d) Subsections (a) and (b) do not apply if the sex  
12 offender accurately registered his or her Internet protocol  
13 address under this Act, and the address subsequently changed  
14 without his or her knowledge or intent.

15 (Source: P.A. 93-979, eff. 8-20-04; 94-168, eff. 1-1-06;  
16 94-988, eff. 1-1-07.)

17 Section 99. Effective date. This Section and Section  
18 5-4-3.2 of the Unified Code of Corrections take effect upon  
19 becoming law."