



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1253

Introduced 02/08/11, by Rep. Deborah Mell

SYNOPSIS AS INTRODUCED:

730 ILCS 150/2	from Ch. 38, par. 222
730 ILCS 150/3	
730 ILCS 150/3-5	
730 ILCS 150/7	from Ch. 38, par. 227

Amends the Sex Offender Registration Act. Provides that a sex offender or sexual predator who was not required to register under the Act before the effective date of the amendatory Act now has a duty to register. Provides for notice to those required to register. Requires that persons unable to comply with the registration requirements because of confinement, institutionalization, or imprisonment register within 3 (instead of 5) days after discharge, parole, or release. Effective July 1, 2011.

LRB097 06687 RLC 46773 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 2, 3, 3-5, and 7 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

1 acquittal at a hearing conducted pursuant to Section
2 104-25(a) of the Code of Criminal Procedure of 1963 for
3 the alleged commission or attempted commission of such
4 offense; or

5 (e) is found not guilty by reason of insanity
6 following a hearing conducted pursuant to a federal,
7 Uniform Code of Military Justice, sister state, or
8 foreign country law substantially similar to Section
9 104-25(c) of the Code of Criminal Procedure of 1963 of
10 such offense or of the attempted commission of such
11 offense; or

12 (f) is the subject of a finding not resulting in an
13 acquittal at a hearing conducted pursuant to a federal,
14 Uniform Code of Military Justice, sister state, or
15 foreign country law substantially similar to Section
16 104-25(a) of the Code of Criminal Procedure of 1963 for
17 the alleged violation or attempted commission of such
18 offense; or

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

23 (3) subject to the provisions of Section 2 of the
24 Interstate Agreements on Sexually Dangerous Persons Act;
25 or

26 (4) found to be a sexually violent person pursuant to

1 the Sexually Violent Persons Commitment Act or any
2 substantially similar federal, Uniform Code of Military
3 Justice, sister state, or foreign country law; or

4 (5) adjudicated a juvenile delinquent as the result of
5 committing or attempting to commit an act which, if
6 committed by an adult, would constitute any of the offenses
7 specified in item (B), (C), or (C-5) of this Section or a
8 violation of any substantially similar federal, Uniform
9 Code of Military Justice, sister state, or foreign country
10 law, or found guilty under Article V of the Juvenile Court
11 Act of 1987 of committing or attempting to commit an act
12 which, if committed by an adult, would constitute any of
13 the offenses specified in item (B), (C), or (C-5) of this
14 Section or a violation of any substantially similar
15 federal, Uniform Code of Military Justice, sister state, or
16 foreign country law.

17 Convictions that result from or are connected with the same
18 act, or result from offenses committed at the same time, shall
19 be counted for the purpose of this Article as one conviction.
20 Any conviction set aside pursuant to law is not a conviction
21 for purposes of this Article.

22 For purposes of this Section, "convicted" shall have the
23 same meaning as "adjudicated".

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

25 (1) A violation of any of the following Sections of the
26 Criminal Code of 1961:

1 11-20.1 (child pornography),
2 11-20.3 (aggravated child pornography),
3 11-6 (indecent solicitation of a child),
4 11-9.1 (sexual exploitation of a child),
5 11-9.2 (custodial sexual misconduct),
6 11-9.5 (sexual misconduct with a person with a
7 disability),
8 11-15.1 (soliciting for a juvenile prostitute),
9 11-18.1 (patronizing a juvenile prostitute),
10 11-17.1 (keeping a place of juvenile
11 prostitution),
12 11-19.1 (juvenile pimping),
13 11-19.2 (exploitation of a child),
14 11-25 (grooming),
15 11-26 (traveling to meet a minor),
16 12-13 (criminal sexual assault),
17 12-14 (aggravated criminal sexual assault),
18 12-14.1 (predatory criminal sexual assault of a
19 child),
20 12-15 (criminal sexual abuse),
21 12-16 (aggravated criminal sexual abuse),
22 12-33 (ritualized abuse of a child).

23 An attempt to commit any of these offenses.

24 (1.5) A violation of any of the following Sections of
25 the Criminal Code of 1961, when the victim is a person
26 under 18 years of age, the defendant is not a parent of the

1 victim, and the offense was sexually motivated as defined
2 in Section 10 of the Sex Offender Management Board Act, ~~and~~
3 ~~the offense was committed on or after January 1, 1996:~~

4 10-1 (kidnapping),

5 10-2 (aggravated kidnapping),

6 10-3 (unlawful restraint),

7 10-3.1 (aggravated unlawful restraint).

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

14 (1.7) (Blank).

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

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

1 Section 10 of the Sex Offender Management Board Act.

2 (1.10) A violation or attempted violation of any of the
3 following Sections of the Criminal Code of 1961 ~~when the~~
4 ~~offense was committed on or after July 1, 1999:~~

5 10-4 (forcible detention, if the victim is under 18
6 years of age), provided the offense was sexually
7 motivated as defined in Section 10 of the Sex Offender
8 Management Board Act,

9 11-6.5 (indecent solicitation of an adult),

10 11-15 (soliciting for a prostitute, if the victim
11 is under 18 years of age),

12 11-16 (pandering, if the victim is under 18 years
13 of age),

14 11-18 (patronizing a prostitute, if the victim is
15 under 18 years of age),

16 11-19 (pimping, if the victim is under 18 years of
17 age).

18 (1.11) A violation or attempted violation of any of the
19 following Sections of the Criminal Code of 1961 ~~when the~~
20 ~~offense was committed on or after August 22, 2002:~~

21 11-9 (public indecency for a third or subsequent
22 conviction).

23 (1.12) A violation or attempted violation of Section
24 5.1 of the Wrongs to Children Act (permitting sexual abuse)
25 ~~when the offense was committed on or after August 22, 2002.~~

26 (2) A violation of any former law of this State

1 substantially equivalent to any offense listed in
2 subsection (B) of this Section.

3 (C) A conviction for an offense of federal law, Uniform
4 Code of Military Justice, or the law of another state or a
5 foreign country that is substantially equivalent to any offense
6 listed in subsections (B), (C), (E), and (E-5) of this Section
7 shall constitute a conviction for the purpose of this Article.
8 A finding or adjudication as a sexually dangerous person or a
9 sexually violent person under any federal law, Uniform Code of
10 Military Justice, or the law of another state or foreign
11 country that is substantially equivalent to the Sexually
12 Dangerous Persons Act or the Sexually Violent Persons
13 Commitment Act shall constitute an adjudication for the
14 purposes of this Article.

15 (C-5) A person at least 17 years of age at the time of the
16 commission of the offense who is convicted of first degree
17 murder under Section 9-1 of the Criminal Code of 1961, against
18 a person under 18 years of age, shall be required to register
19 for natural life. A conviction for an offense of federal,
20 Uniform Code of Military Justice, sister state, or foreign
21 country law that is substantially equivalent to any offense
22 listed in subsection (C-5) of this Section shall constitute a
23 conviction for the purpose of this Article. ~~This subsection~~
24 ~~(C-5) applies to a person who committed the offense before June~~
25 ~~1, 1996 only if the person is incarcerated in an Illinois~~
26 ~~Department of Corrections facility on August 20, 2004 (the~~

1 ~~effective date of Public Act 93-977).~~

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

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

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

19 (1) Convicted for an offense of federal, Uniform Code
20 of Military Justice, sister state, or foreign country law
21 that is substantially equivalent to any offense listed in
22 subsection (E) or (E-5) of this Section shall constitute a
23 conviction for the purpose of this Article. Convicted of a
24 violation or attempted violation of any of the following
25 Sections of the Criminal Code of 1961, ~~if the conviction~~
26 ~~occurred after July 1, 1999:~~

1 11-17.1 (keeping a place of juvenile
2 prostitution),
3 11-19.1 (juvenile pimping),
4 11-19.2 (exploitation of a child),
5 11-20.1 (child pornography),
6 11-20.3 (aggravated child pornography),
7 12-13 (criminal sexual assault),
8 12-14 (aggravated criminal sexual assault),
9 12-14.1 (predatory criminal sexual assault of a
10 child),
11 12-16 (aggravated criminal sexual abuse),
12 12-33 (ritualized abuse of a child);
13 (2) (blank);
14 (3) certified as a sexually dangerous person pursuant
15 to the Sexually Dangerous Persons Act or any substantially
16 similar federal, Uniform Code of Military Justice, sister
17 state, or foreign country law;
18 (4) found to be a sexually violent person pursuant to
19 the Sexually Violent Persons Commitment Act or any
20 substantially similar federal, Uniform Code of Military
21 Justice, sister state, or foreign country law;
22 (5) convicted of a second or subsequent offense which
23 requires registration pursuant to this Act. ~~The conviction~~
24 ~~for the second or subsequent offense must have occurred~~
25 ~~after July 1, 1999.~~ For purposes of this paragraph (5),
26 "convicted" shall include a conviction under any

1 substantially similar Illinois, federal, Uniform Code of
2 Military Justice, sister state, or foreign country law; ~~or~~

3 (6) convicted of a second or subsequent offense of
4 luring a minor under Section 10-5.1 of the Criminal Code of
5 1961; or -

6 (7) required to register in another State due to a
7 conviction, adjudication or other action of any court
8 triggering an obligation to register as a sex offender,
9 sexual predator, or substantially similar status under the
10 laws of that State.

11 (E-5) As used in this Article, "sexual predator" also means
12 a person convicted of a violation or attempted violation of any
13 of the following Sections of the Criminal Code of 1961:

14 (1) Section 9-1 (first degree murder, when the victim
15 was a person under 18 years of age and the defendant was at
16 least 17 years of age at the time of the commission of the
17 offense, provided the offense was sexually motivated as
18 defined in Section 10 of the Sex Offender Management Board
19 Act);

20 (2) Section 11-9.5 (sexual misconduct with a person
21 with a disability);

22 (3) when the victim is a person under 18 years of age,
23 the defendant is not a parent of the victim, the offense
24 was sexually motivated as defined in Section 10 of the Sex
25 Offender Management Board Act, and the offense was
26 committed on or after January 1, 1996: (A) Section 10-1

1 (kidnapping), (B) Section 10-2 (aggravated kidnapping),
2 (C) Section 10-3 (unlawful restraint), and (D) Section
3 10-3.1 (aggravated unlawful restraint); and

4 (4) Section 10-5(b)(10) (child abduction committed by
5 luring or attempting to lure a child under the age of 16
6 into a motor vehicle, building, house trailer, or dwelling
7 place without the consent of the parent or lawful custodian
8 of the child for other than a lawful purpose and the
9 offense was committed on or after January 1, 1998, provided
10 the offense was sexually motivated as defined in Section 10
11 of the Sex Offender Management Board Act).

12 (F) As used in this Article, "out-of-state student" means
13 any sex offender, as defined in this Section, or sexual
14 predator who is enrolled in Illinois, on a full-time or
15 part-time basis, in any public or private educational
16 institution, including, but not limited to, any secondary
17 school, trade or professional institution, or institution of
18 higher learning.

19 (G) As used in this Article, "out-of-state employee" means
20 any sex offender, as defined in this Section, or sexual
21 predator who works in Illinois, regardless of whether the
22 individual receives payment for services performed, for a
23 period of time of 10 or more days or for an aggregate period of
24 time of 30 or more days during any calendar year. Persons who
25 operate motor vehicles in the State accrue one day of
26 employment time for any portion of a day spent in Illinois.

1 (H) As used in this Article, "school" means any public or
2 private educational institution, including, but not limited
3 to, any elementary or secondary school, trade or professional
4 institution, or institution of higher education.

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

8 (J) As used in this Article, "Internet protocol address"
9 means the string of numbers by which a location on the Internet
10 is identified by routers or other computers connected to the
11 Internet.

12 (Source: P.A. 95-331, eff. 8-21-07; 95-579, eff. 6-1-08;
13 95-625, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.
14 8-21-08; 96-301, eff. 8-11-09; 96-1089, eff. 1-1-11.)

15 (730 ILCS 150/3)

16 Sec. 3. Duty to register.

17 (a) A sex offender, as defined in Section 2 of this Act, or
18 sexual predator shall, within the time period prescribed in
19 subsections (b) and (c), register in person and provide
20 accurate information as required by the Department of State
21 Police. Such information shall include a current photograph,
22 current address, current place of employment, the sex
23 offender's or sexual predator's telephone number, including
24 cellular telephone number, the employer's telephone number,
25 school attended, all e-mail addresses, instant messaging

1 identities, chat room identities, and other Internet
2 communications identities that the sex offender uses or plans
3 to use, all Uniform Resource Locators (URLs) registered or used
4 by the sex offender, all blogs and other Internet sites
5 maintained by the sex offender or to which the sex offender has
6 uploaded any content or posted any messages or information,
7 extensions of the time period for registering as provided in
8 this Article and, if an extension was granted, the reason why
9 the extension was granted and the date the sex offender was
10 notified of the extension. The information shall also include a
11 copy of the terms and conditions of parole or release signed by
12 the sex offender and given to the sex offender by his or her
13 supervising officer, the county of conviction, license plate
14 numbers for every vehicle registered in the name of the sex
15 offender, the age of the sex offender at the time of the
16 commission of the offense, the age of the victim at the time of
17 the commission of the offense, and any distinguishing marks
18 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. If the sex
24 offender is a child sex offender as defined in Section 11-9.3
25 or 11-9.4 of the Criminal Code of 1961, the sex offender shall
26 report to the registering agency whether he or she is living in

1 a household with a child under 18 years of age who is not his or
2 her own child, provided that his or her own child is not the
3 victim of the sex offense. The sex offender or sexual predator
4 shall register:

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

10 (2) with the sheriff in the county in which he or she
11 resides or is temporarily domiciled for a period of time of
12 3 or more days in an unincorporated area or, if
13 incorporated, no police chief exists.

14 If the sex offender or sexual predator is employed at or
15 attends an institution of higher education, he or she shall
16 register:

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

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

26 For purposes of this Article, the place of residence or

1 temporary domicile is defined as any and all places where the
2 sex offender resides for an aggregate period of time of 3 or
3 more days during any calendar year. Any person required to
4 register under this Article who lacks a fixed address or
5 temporary domicile must notify, in person, the agency of
6 jurisdiction of his or her last known address within 3 days
7 after ceasing to have a fixed residence.

8 A sex offender or sexual predator who is temporarily absent
9 from his or her current address of registration for 3 or more
10 days shall notify the law enforcement agency having
11 jurisdiction of his or her current registration, including the
12 itinerary for travel, in the manner provided in Section 6 of
13 this Act for notification to the law enforcement agency having
14 jurisdiction of change of address.

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 3 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. A sex offender convicted under
6 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code
7 of 1961 shall provide all Internet protocol (IP) addresses in
8 his or her residence, registered in his or her name, accessible
9 at his or her place of employment, or otherwise under his or
10 her control or custody. The out-of-state student or
11 out-of-state employee shall register:

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

19 (2) with the sheriff in the county in which he or she
20 attends school or is employed for a period of time of 5 or
21 more days or for an aggregate period of time of more than
22 30 days during any calendar year in an unincorporated area
23 or, if incorporated, no police chief exists.

24 The out-of-state student or out-of-state employee shall
25 provide accurate information as required by the Department of
26 State Police. That information shall include the out-of-state

1 student's current place of school attendance or the
2 out-of-state employee's current place of employment.

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

10 (b) Any sex offender, as defined in Section 2 of this Act,
11 or sexual predator, regardless of any initial, prior, or other
12 registration, shall, within 3 days of beginning school, or
13 establishing a residence, place of employment, or temporary
14 domicile in any county, register in person as set forth in
15 subsection (a) or (a-5).

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

18 (1) Any person registered under the Habitual Child Sex
19 Offender Registration Act or the Child Sex Offender
20 Registration Act prior to January 1, 1996, shall be deemed
21 initially registered as of January 1, 1996; however, this
22 shall not be construed to extend the duration of
23 registration set forth in Section 7.

24 (2) Except as provided in subsection (c) (4), any person
25 convicted or adjudicated prior to January 1, 1996, whose
26 liability for registration under Section 7 has not expired,

1 shall register in person prior to January 31, 1996.

2 (2.1) A sex offender, as defined in Section 2 of this
3 Act, or sexual predator who was not required to register
4 under this Act before the effective date of this amendatory
5 Act of the 97th General Assembly now has a duty to
6 register. Any sex offender who on or after July 1, 2011 is
7 on parole, mandatory supervised release, probation, or
8 conditional discharge for a conviction for any felony
9 offense or for a conviction for any misdemeanor offense
10 under the Criminal Code of 1961 shall be notified of his or
11 her duty to register as a sex offender by his or her
12 supervising officer or as otherwise provided in Section 5
13 of this Act. The court or supervising officer shall require
14 the person to read and sign such form as may be required by
15 the Department of State Police stating that the duty to
16 register and the procedure for registration have been
17 explained to him or her and that he or she understands the
18 duty to register and the procedure for registration. He or
19 she shall register in person within 3 days after
20 notification by his or her supervising officer or the court
21 as provided in Section 6 of this Act. Any person unable to
22 comply with the registration requirements of this
23 amendatory Act of the 97th General Assembly because he or
24 she is confined, institutionalized, or imprisoned in
25 Illinois on or after the effective date of this amendatory
26 Act of the 97th General Assembly shall register in person

1 within 3 days after discharge, parole, or release.

2 (2.5) Except as provided in subsection (c)(4), any
3 person who has not been notified of his or her
4 responsibility to register shall be notified by a criminal
5 justice entity of his or her responsibility to register.
6 Upon notification the person must then register within 3
7 days of notification of his or her requirement to register.

8 Except as provided in subsection (c)(2.1), if ~~if~~
9 notification is not made within the offender's 10 year
10 registration requirement, and the Department of State
11 Police determines no evidence exists or indicates the
12 offender attempted to avoid registration, the offender
13 will no longer be required to register under this Act.

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

18 (4) Any person unable to comply with the registration
19 requirements of this Article because he or she is confined,
20 institutionalized, or imprisoned in Illinois on or after
21 January 1, 1996, shall register in person within 3 days of
22 discharge, parole or release.

23 (5) The person shall provide positive identification
24 and documentation that substantiates proof of residence at
25 the registering address.

26 (6) The person shall pay a \$100 initial registration

1 fee and a \$100 annual renewal fee. The fees shall be used
2 by the registering agency for official purposes. The agency
3 shall establish procedures to document receipt and use of
4 the funds. The law enforcement agency having jurisdiction
5 may waive the registration fee if it determines that the
6 person is indigent and unable to pay the registration fee.
7 Thirty dollars for the initial registration fee and \$30 of
8 the annual renewal fee shall be used by the registering
9 agency for official purposes. Ten dollars of the initial
10 registration fee and \$10 of the annual fee shall be
11 deposited into the Sex Offender Management Board Fund under
12 Section 19 of the Sex Offender Management Board Act. Money
13 deposited into the Sex Offender Management Board Fund shall
14 be administered by the Sex Offender Management Board and
15 shall be used to fund practices endorsed or required by the
16 Sex Offender Management Board Act including but not limited
17 to sex offenders evaluation, treatment, or monitoring
18 programs that are or may be developed, as well as for
19 administrative costs, including staff, incurred by the
20 Board. Thirty dollars of the initial registration fee and
21 \$30 of the annual renewal fee shall be deposited into the
22 Sex Offender Registration Fund and shall be used by the
23 Department of State Police to maintain and update the
24 Illinois State Police Sex Offender Registry. Thirty
25 dollars of the initial registration fee and \$30 of the
26 annual renewal fee shall be deposited into the Attorney

1 General Sex Offender Awareness, Training, and Education
2 Fund. Moneys deposited into the Fund shall be used by the
3 Attorney General to administer the I-SORT program and to
4 alert and educate the public, victims, and witnesses of
5 their rights under various victim notification laws and for
6 training law enforcement agencies, State's Attorneys, and
7 medical providers of their legal duties concerning the
8 prosecution and investigation of sex offenses.

9 (d) Within 3 days after obtaining or changing employment
10 and, if employed on January 1, 2000, within 5 days after that
11 date, a person required to register under this Section must
12 report, in person to the law enforcement agency having
13 jurisdiction, the business name and address where he or she is
14 employed. If the person has multiple businesses or work
15 locations, every business and work location must be reported to
16 the law enforcement agency having jurisdiction.

17 (Source: P.A. 95-229, eff. 8-16-07; 95-579, eff. 6-1-08;
18 95-640, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.
19 8-21-08; 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11; 96-1097,
20 eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff. 1-1-11;
21 revised 9-2-10.)

22 (730 ILCS 150/3-5)

23 Sec. 3-5. Application of Act to adjudicated juvenile
24 delinquents.

25 (a) In all cases involving an adjudicated juvenile

1 delinquent who meets the definition of sex offender as set
2 forth in paragraph (5) of subsection (A) of Section 2 of this
3 Act, the court shall order the minor to register as a sex
4 offender.

5 (b) Once an adjudicated juvenile delinquent is ordered to
6 register as a sex offender, the adjudicated juvenile delinquent
7 shall be subject to the registration requirements set forth in
8 Sections 3, 6, 6-5, 8, 8-5, and 10 for the term of his or her
9 registration.

10 (c) For a minor adjudicated delinquent for an offense
11 which, if charged as an adult, would be a felony, no less than
12 5 years after registration ordered pursuant to subsection (a)
13 of this Section, the minor may petition for the termination of
14 the term of registration. For a minor adjudicated delinquent
15 for an offense which, if charged as an adult, would be a
16 misdemeanor, no less than 2 years after registration ordered
17 pursuant to subsection (a) of this Section, the minor may
18 petition for termination of the term of registration.

19 (d) The court may upon a hearing on the petition for
20 termination of registration, terminate registration if the
21 court finds that the registrant poses no risk to the community
22 by a preponderance of the evidence based upon the factors set
23 forth in subsection (e). Notwithstanding any other provisions
24 of this Act to the contrary, no registrant whose registration
25 has been terminated under this Section shall be required to
26 register under the provisions of this Act for the offense or

1 offenses which were the subject of the successful petition for
2 termination of registration. This exemption shall apply only to
3 those offenses which were the subject of the successful
4 petition for termination of registration, and shall not apply
5 to any other or subsequent offenses requiring registration
6 under this Act.

7 (e) To determine whether a registrant poses a risk to the
8 community as required by subsection (d), the court shall
9 consider the following factors:

10 (1) a risk assessment performed by an evaluator
11 approved by the Sex Offender Management Board;

12 (2) the sex offender history of the adjudicated
13 juvenile delinquent;

14 (3) evidence of the adjudicated juvenile delinquent's
15 rehabilitation;

16 (4) the age of the adjudicated juvenile delinquent at
17 the time of the offense;

18 (5) information related to the adjudicated juvenile
19 delinquent's mental, physical, educational, and social
20 history;

21 (6) victim impact statements; and

22 (7) any other factors deemed relevant by the court.

23 (f) At the hearing set forth in subsections (c) and (d), a
24 registrant shall be represented by counsel and may present a
25 risk assessment conducted by an evaluator who is a licensed
26 psychiatrist, psychologist, or other mental health

1 professional, and who has demonstrated clinical experience in
2 juvenile sex offender treatment.

3 (g) After a registrant completes the term of his or her
4 registration, his or her name, address, and all other
5 identifying information shall be removed from all State and
6 local registries.

7 (h) This Section applies retroactively to cases in which
8 adjudicated juvenile delinquents who registered or were
9 required to register before the effective date of this
10 amendatory Act of the 95th General Assembly. On or after the
11 effective date of this amendatory Act of the 95th General
12 Assembly, a person adjudicated delinquent before the effective
13 date of this amendatory Act of the 95th General Assembly may
14 request a hearing regarding status of registration by filing a
15 Petition Requesting Registration Status with the clerk of the
16 court. Upon receipt of the Petition Requesting Registration
17 Status, the clerk of the court shall provide notice to the
18 parties and set the Petition for hearing pursuant to
19 subsections (c) through (e) of this Section.

20 (i) This Section does not apply to minors prosecuted under
21 the criminal laws as adults.

22 (Source: P.A. 95-658, eff. 10-11-07.)

23 (730 ILCS 150/7) (from Ch. 38, par. 227)

24 Sec. 7. Duration of registration. A person who has been
25 adjudicated to be sexually dangerous and is later released or

1 found to be no longer sexually dangerous and discharged, shall
2 register for the period of his or her natural life. A sexually
3 violent person or sexual predator shall register for the period
4 of his or her natural life after conviction or adjudication or
5 after the effective date of this amendatory Act of the 97th
6 General Assembly if the sexually violent person or sexual
7 predator was not required to register before the effective date
8 of this amendatory Act of the 97th General Assembly if not
9 confined to a penal institution, hospital, or other institution
10 or facility, and if confined, for the period of his or her
11 natural life after parole, discharge, or release from any such
12 facility. A person who has not been adjudicated to be sexually
13 dangerous or who is not a sexually violent person or sexual
14 predator and who is required to register under this Article as
15 a result of this amendatory Act of the 97th General Assembly
16 shall register for a period of 10 years after conviction or
17 adjudication if not confined to a penal institution, hospital,
18 or other institution or facility, and if confined, for a period
19 of 10 years after parole, discharge, or release from any such
20 facility. However, this provision shall only revive the period
21 of registration of any person who was previously registered as
22 a sex offender and who successfully completed his or her period
23 of registration prior to the effective date of this amendatory
24 Act of the 97th General Assembly if he or she is convicted of
25 any felony offense, or convicted of any misdemeanor offense
26 under the Criminal Code of 1961, after July 1, 2011. A person

1 who becomes subject to registration under this Article who has
2 previously been subject to registration under this Article or
3 under the Child Murderer and Violent Offender Against Youth
4 Registration Act or similar registration requirements of other
5 jurisdictions shall register for the period of his or her
6 natural life if not confined to a penal institution, hospital,
7 or other institution or facility, and if confined, for the
8 period of his or her natural life after parole, discharge, or
9 release from any such facility. Any other person who is
10 required to register under this Article shall be required to
11 register for a period of 10 years after conviction or
12 adjudication if not confined to a penal institution, hospital
13 or any other institution or facility, and if confined, for a
14 period of 10 years after parole, discharge or release from any
15 such facility. A sex offender who is allowed to leave a county,
16 State, or federal facility for the purposes of work release,
17 education, or overnight visitations shall be required to
18 register within 3 days of beginning such a program. Liability
19 for registration terminates at the expiration of 10 years from
20 the date of conviction or adjudication if not confined to a
21 penal institution, hospital or any other institution or
22 facility and if confined, at the expiration of 10 years from
23 the date of parole, discharge or release from any such
24 facility, providing such person does not, during that period,
25 again become liable to register under the provisions of this
26 Article. Reconfinement due to a violation of parole, a

1 conviction reviving registration, or other circumstances that
2 relates to the original conviction or adjudication shall extend
3 the period of registration to 10 years after final parole,
4 discharge, or release. Reconfinement due to a violation of
5 parole or other circumstances that do not relate to the
6 original conviction or adjudication shall toll the running of
7 the balance of the 10-year period of registration, which shall
8 not commence running until after final parole, discharge, or
9 release. The Director of State Police, consistent with
10 administrative rules, shall extend for 10 years the
11 registration period of any sex offender, as defined in Section
12 2 of this Act, who fails to comply with the provisions of this
13 Article. The registration period for any sex offender who fails
14 to comply with any provision of the Act shall extend the period
15 of registration by 10 years beginning from the first date of
16 registration after the violation. If the registration period is
17 extended, the Department of State Police shall send a
18 registered letter to the law enforcement agency where the sex
19 offender resides within 3 days after the extension of the
20 registration period. The sex offender shall report to that law
21 enforcement agency and sign for that letter. One copy of that
22 letter shall be kept on file with the law enforcement agency of
23 the jurisdiction where the sex offender resides and one copy
24 shall be returned to the Department of State Police.

25 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 95-169,
26 eff. 8-14-07; 95-331, eff. 8-21-07; 95-513, eff. 6-1-08;

1 95-640, eff. 6-1-08; 95-876, eff. 8-21-08.)

2 Section 99. Effective date. This Act takes effect July 1,
3 2011.