



Sen. Iris Y. Martinez

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09700HB1253sam001

LRB097 06687 RLC 56008 a

1 AMENDMENT TO HOUSE BILL 1253

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1253 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Sex Offender Registration Act is amended by  
5 changing Sections 2, 3, 3-5, and 7 and by adding Section 5-7 as  
6 follows:

7 (730 ILCS 150/2) (from Ch. 38, par. 222)

8 (Text of Section after amendment by P.A. 96-1551)

9 Sec. 2. Definitions.

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

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

1           (a) is convicted of such offense or an attempt to  
2           commit such offense; or

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

5           (c) is found not guilty by reason of insanity  
6           pursuant to Section 104-25(c) of the Code of Criminal  
7           Procedure of 1963 of such offense or an attempt to  
8           commit such offense; or

9           (d) is the subject of a finding not resulting in an  
10          acquittal at a hearing conducted pursuant to Section  
11          104-25(a) of the Code of Criminal Procedure of 1963 for  
12          the alleged commission or attempted commission of such  
13          offense; or

14          (e) is found not guilty by reason of insanity  
15          following a hearing conducted pursuant to a federal,  
16          Uniform Code of Military Justice, sister state, or  
17          foreign country law substantially similar to Section  
18          104-25(c) of the Code of Criminal Procedure of 1963 of  
19          such offense or of the attempted commission of such  
20          offense; or

21          (f) is the subject of a finding not resulting in an  
22          acquittal at a hearing conducted pursuant to a federal,  
23          Uniform Code of Military Justice, sister state, or  
24          foreign country law substantially similar to Section  
25          104-25(a) of the Code of Criminal Procedure of 1963 for  
26          the alleged violation or attempted commission of such

1 offense; or

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

6 (3) subject to the provisions of Section 2 of the  
7 Interstate Agreements on Sexually Dangerous Persons Act;  
8 or

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

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

26 Convictions that result from or are connected with the same

1 act, or result from offenses committed at the same time, shall  
2 be counted for the purpose of this Article as one conviction.  
3 Any conviction set aside pursuant to law is not a conviction  
4 for purposes of this Article.

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

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

8 (1) A violation of any of the following Sections of the  
9 Criminal Code of 1961:

10 11-20.1 (child pornography),

11 11-20.1B or 11-20.3 (aggravated child  
12 pornography),

13 11-6 (indecent solicitation of a child),

14 11-9.1 (sexual exploitation of a child),

15 11-9.2 (custodial sexual misconduct),

16 11-9.5 (sexual misconduct with a person with a  
17 disability),

18 11-14.4 (promoting juvenile prostitution),

19 11-15.1 (soliciting for a juvenile prostitute),

20 11-18.1 (patronizing a juvenile prostitute),

21 11-17.1 (keeping a place of juvenile  
22 prostitution),

23 11-19.1 (juvenile pimping),

24 11-19.2 (exploitation of a child),

25 11-25 (grooming),

26 11-26 (traveling to meet a minor),

1           11-1.20 or 12-13 (criminal sexual assault),  
2           11-1.30 or 12-14 (aggravated criminal sexual  
3 assault),  
4           11-1.40 or 12-14.1 (predatory criminal sexual  
5 assault of a child),  
6           11-1.50 or 12-15 (criminal sexual abuse),  
7           11-1.60 or 12-16 (aggravated criminal sexual  
8 abuse),  
9           12-33 (ritualized abuse of a child).

10           An attempt to commit any of these offenses.

11           (1.5) A violation of any of the following Sections of  
12 the Criminal Code of 1961, when the victim is a person  
13 under 18 years of age, the defendant is not a parent of the  
14 victim, the offense was sexually motivated as defined in  
15 Section 10 of the Sex Offender Management Board Act, and  
16 the offense was committed on or after January 1, 1996:

17           10-1 (kidnapping),  
18           10-2 (aggravated kidnapping),  
19           10-3 (unlawful restraint),  
20           10-3.1 (aggravated unlawful restraint).

21           If the offense was committed before January 1, 1996, it  
22 is a sex offense requiring registration only when the  
23 person is convicted of any felony after July 1, 2011, and  
24 paragraph (2.1) of subsection (c) of Section 3 of this Act  
25 applies.

26           (1.6) First degree murder under Section 9-1 of the

1 Criminal Code of 1961, when the victim was a person under  
2 18 years of age and the defendant was at least 17 years of  
3 age at the time of the commission of the offense, provided  
4 the offense was sexually motivated as defined in Section 10  
5 of the Sex Offender Management Board Act.

6 (1.7) (Blank).

7 (1.8) A violation or attempted violation of Section  
8 11-11 (sexual relations within families) of the Criminal  
9 Code of 1961, and the offense was committed on or after  
10 June 1, 1997. If the offense was committed before June 1,  
11 1997, it is a sex offense requiring registration only when  
12 the person is convicted of any felony after July 1, 2011,  
13 and paragraph (2.1) of subsection (c) of Section 3 of this  
14 Act applies.

15 (1.9) Child abduction under paragraph (10) of  
16 subsection (b) of Section 10-5 of the Criminal Code of 1961  
17 committed by luring or attempting to lure a child under the  
18 age of 16 into a motor vehicle, building, house trailer, or  
19 dwelling place without the consent of the parent or lawful  
20 custodian of the child for other than a lawful purpose and  
21 the offense was committed on or after January 1, 1998,  
22 provided the offense was sexually motivated as defined in  
23 Section 10 of the Sex Offender Management Board Act. If the  
24 offense was committed before January 1, 1998, it is a sex  
25 offense requiring registration only when the person is  
26 convicted of any felony after July 1, 2011, and paragraph

1       (2.1) of subsection (c) of Section 3 of this Act applies.

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           11-14.3 that involves soliciting for a prostitute,  
11 or 11-15 (soliciting for a prostitute, if the victim is  
12 under 18 years of age),

13           subdivision (a) (2) (A) or (a) (2) (B) of Section  
14 11-14.3, or Section 11-16 (pandering, if the victim is  
15 under 18 years of age),

16           11-18 (patronizing a prostitute, if the victim is  
17 under 18 years of age),

18           subdivision (a) (2) (C) of Section 11-14.3, or  
19 Section 11-19 (pimping, if the victim is under 18 years  
20 of age).

21       If the offense was committed before July 1, 1999, it is  
22 a sex offense requiring registration only when the person  
23 is convicted of any felony after July 1, 2011, and  
24 paragraph (2.1) of subsection (c) of Section 3 of this Act  
25 applies.

26           (1.11) A violation or attempted violation of any of the

1 following Sections of the Criminal Code of 1961 when the  
2 offense was committed on or after August 22, 2002:

3 11-9 or 11-30 (public indecency for a third or  
4 subsequent conviction).

5 If the third or subsequent conviction was imposed  
6 before August 22, 2002, it is a sex offense requiring  
7 registration only when the person is convicted of any  
8 felony after July 1, 2011, and paragraph (2.1) of  
9 subsection (c) of Section 3 of this Act applies.

10 (1.12) A violation or attempted violation of Section  
11 5.1 of the Wrongs to Children Act or Section 11-9.1A of the  
12 Criminal Code of 1961 (permitting sexual abuse) when the  
13 offense was committed on or after August 22, 2002. If the  
14 offense was committed before August 22, 2002, it is a sex  
15 offense requiring registration only when the person is  
16 convicted of any felony after July 1, 2011, and paragraph  
17 (2.1) of subsection (c) of Section 3 of this Act applies.

18 (2) A violation of any former law of this State  
19 substantially equivalent to any offense listed in  
20 subsection (B) of this Section.

21 (C) A conviction for an offense of federal law, Uniform  
22 Code of Military Justice, or the law of another state or a  
23 foreign country that is substantially equivalent to any offense  
24 listed in subsections (B), (C), (E), and (E-5) of this Section  
25 shall constitute a conviction for the purpose of this Article.  
26 A finding or adjudication as a sexually dangerous person or a



1 sexually violent person under any federal law, Uniform Code of  
2 Military Justice, or the law of another state or foreign  
3 country that is substantially equivalent to the Sexually  
4 Dangerous Persons Act or the Sexually Violent Persons  
5 Commitment Act shall constitute an adjudication for the  
6 purposes of this Article.

7 (C-5) A person at least 17 years of age at the time of the  
8 commission of the offense who is convicted of first degree  
9 murder under Section 9-1 of the Criminal Code of 1961, against  
10 a person under 18 years of age, shall be required to register  
11 for natural life. A conviction for an offense of federal,  
12 Uniform Code of Military Justice, sister state, or foreign  
13 country law that is substantially equivalent to any offense  
14 listed in subsection (C-5) of this Section shall constitute a  
15 conviction for the purpose of this Article. This subsection  
16 (C-5) applies to a person who committed the offense before June  
17 1, 1996 ~~only~~ if: (i) the person is incarcerated in an Illinois  
18 Department of Corrections facility on August 20, 2004 (the  
19 effective date of Public Act 93-977), or (ii) subparagraph (i)  
20 does not apply and the person is convicted of any felony after  
21 July 1, 2011, and paragraph (2.1) of subsection (c) of Section  
22 3 of this Act applies.

23 (D) As used in this Article, "law enforcement agency having  
24 jurisdiction" means the Chief of Police in each of the  
25 municipalities in which the sex offender expects to reside,  
26 work, or attend school (1) upon his or her discharge, parole or

1 release or (2) during the service of his or her sentence of  
2 probation or conditional discharge, or the Sheriff of the  
3 county, in the event no Police Chief exists or if the offender  
4 intends to reside, work, or attend school in an unincorporated  
5 area. "Law enforcement agency having jurisdiction" includes  
6 the location where out-of-state students attend school and  
7 where out-of-state employees are employed or are otherwise  
8 required to register.

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

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

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

22 11-14.4 that involves keeping a place of juvenile  
23 prostitution, or 11-17.1 (keeping a place of juvenile  
24 prostitution),

25 subdivision (a) (2) or (a) (3) of Section 11-14.4,  
26 or Section 11-19.1 (juvenile pimping),

1 subdivision (a) (4) of Section 11-14.4, or Section  
2 11-19.2 (exploitation of a child),

3 11-20.1 (child pornography),

4 11-20.1B or 11-20.3 (aggravated child  
5 pornography),

6 11-1.20 or 12-13 (criminal sexual assault),

7 11-1.30 or 12-14 (aggravated criminal sexual  
8 assault),

9 11-1.40 or 12-14.1 (predatory criminal sexual  
10 assault of a child),

11 11-1.60 or 12-16 (aggravated criminal sexual  
12 abuse),

13 12-33 (ritualized abuse of a child);

14 (2) (blank);

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

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

23 (5) convicted of a second or subsequent offense which  
24 requires registration pursuant to this Act. ~~The conviction~~  
25 ~~for the second or subsequent offense must have occurred~~  
26 ~~after July 1, 1999.~~ For purposes of this paragraph (5),

1 "convicted" shall include a conviction under any  
2 substantially similar Illinois, federal, Uniform Code of  
3 Military Justice, sister state, or foreign country law; ~~or~~

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

7 (7) if the person was convicted of an offense set forth  
8 in this subsection (E) on or before July 1, 1999, the  
9 person is a sexual predator for whom registration is  
10 required only when the person is convicted of a felony  
11 offense after July 1, 2011, and paragraph (2.1) of  
12 subsection (c) of Section 3 of this Act applies.

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

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

22 (2) Section 11-9.5 (sexual misconduct with a person  
23 with a disability);

24 (3) when the victim is a person under 18 years of age,  
25 the defendant is not a parent of the victim, the offense  
26 was sexually motivated as defined in Section 10 of the Sex

1 Offender Management Board Act, and the offense was  
2 committed on or after January 1, 1996: (A) Section 10-1  
3 (kidnapping), (B) Section 10-2 (aggravated kidnapping),  
4 (C) Section 10-3 (unlawful restraint), and (D) Section  
5 10-3.1 (aggravated unlawful restraint); and

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

14 (E-10) As used in this Article, "sexual predator" also  
15 means a person required to register in another State due to a  
16 conviction, adjudication or other action of any court  
17 triggering an obligation to register as a sex offender, sexual  
18 predator, or substantially similar status under the laws of  
19 that State.

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

1 (G) As used in this Article, "out-of-state employee" means  
2 any sex offender, as defined in this Section, or sexual  
3 predator who works in Illinois, regardless of whether the  
4 individual receives payment for services performed, for a  
5 period of time of 10 or more days or for an aggregate period of  
6 time of 30 or more days during any calendar year. Persons who  
7 operate motor vehicles in the State accrue one day of  
8 employment time for any portion of a day spent in Illinois.

9 (H) As used in this Article, "school" means any public or  
10 private educational institution, including, but not limited  
11 to, any elementary or secondary school, trade or professional  
12 institution, or institution of higher education.

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

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

20 (Source: P.A. 95-331, eff. 8-21-07; 95-579, eff. 6-1-08;  
21 95-625, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.  
22 8-21-08; 96-301, eff. 8-11-09; 96-1089, eff. 1-1-11; 96-1551,  
23 eff. 7-1-11.)

24 (730 ILCS 150/3)

25 (Text of Section after amendment by P.A. 96-1551)

1           Sec. 3. Duty to register.

2           (a) A sex offender, as defined in Section 2 of this Act, or  
3 sexual predator shall, within the time period prescribed in  
4 subsections (b) and (c), register in person and provide  
5 accurate information as required by the Department of State  
6 Police. Such information shall include a current photograph,  
7 current address, current place of employment, the sex  
8 offender's or sexual predator's telephone number, including  
9 cellular telephone number, the employer's telephone number,  
10 school attended, all e-mail addresses, instant messaging  
11 identities, chat room identities, and other Internet  
12 communications identities that the sex offender uses or plans  
13 to use, all Uniform Resource Locators (URLs) registered or used  
14 by the sex offender, all blogs and other Internet sites  
15 maintained by the sex offender or to which the sex offender has  
16 uploaded any content or posted any messages or information,  
17 extensions of the time period for registering as provided in  
18 this Article and, if an extension was granted, the reason why  
19 the extension was granted and the date the sex offender was  
20 notified of the extension. The information shall also include a  
21 copy of the terms and conditions of parole or release signed by  
22 the sex offender and given to the sex offender by his or her  
23 supervising officer, the county of conviction, license plate  
24 numbers for every vehicle registered in the name of the sex  
25 offender, the age of the sex offender at the time of the  
26 commission of the offense, the age of the victim at the time of

1 the commission of the offense, and any distinguishing marks  
2 located on the body of the sex offender. A sex offender  
3 convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or  
4 11-21 of the Criminal Code of 1961 shall provide all Internet  
5 protocol (IP) addresses in his or her residence, registered in  
6 his or her name, accessible at his or her place of employment,  
7 or otherwise under his or her control or custody. If the sex  
8 offender is a child sex offender as defined in Section 11-9.3  
9 or 11-9.4 of the Criminal Code of 1961, the sex offender shall  
10 report to the registering agency whether he or she is living in  
11 a household with a child under 18 years of age who is not his or  
12 her own child, provided that his or her own child is not the  
13 victim of the sex offense. The sex offender or sexual predator  
14 shall register:

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

20 (2) with the sheriff in the county in which he or she  
21 resides or is temporarily domiciled for a period of time of  
22 3 or more days in an unincorporated area or, if  
23 incorporated, no police chief exists.

24 If the sex offender or sexual predator is employed at or  
25 attends an institution of higher education, he or she shall  
26 register:



1           (i) with the chief of police in the municipality in  
2           which he or she is employed at or attends an institution of  
3           higher education, unless the municipality is the City of  
4           Chicago, in which case he or she shall register at the  
5           Chicago Police Department Headquarters; or

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

10          For purposes of this Article, the place of residence or  
11          temporary domicile is defined as any and all places where the  
12          sex offender resides for an aggregate period of time of 3 or  
13          more days during any calendar year. Any person required to  
14          register under this Article who lacks a fixed address or  
15          temporary domicile must notify, in person, the agency of  
16          jurisdiction of his or her last known address within 3 days  
17          after ceasing to have a fixed residence.

18          A sex offender or sexual predator who is temporarily absent  
19          from his or her current address of registration for 3 or more  
20          days shall notify the law enforcement agency having  
21          jurisdiction of his or her current registration, including the  
22          itinerary for travel, in the manner provided in Section 6 of  
23          this Act for notification to the law enforcement agency having  
24          jurisdiction of change of address.

25          Any person who lacks a fixed residence must report weekly,  
26          in person, with the sheriff's office of the county in which he

1 or she is located in an unincorporated area, or with the chief  
2 of police in the municipality in which he or she is located.  
3 The agency of jurisdiction will document each weekly  
4 registration to include all the locations where the person has  
5 stayed during the past 7 days.

6 The sex offender or sexual predator shall provide accurate  
7 information as required by the Department of State Police. That  
8 information shall include the sex offender's or sexual  
9 predator's current place of employment.

10 (a-5) An out-of-state student or out-of-state employee  
11 shall, within 3 days after beginning school or employment in  
12 this State, register in person and provide accurate information  
13 as required by the Department of State Police. Such information  
14 will include current place of employment, school attended, and  
15 address in state of residence. A sex offender convicted under  
16 Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the  
17 Criminal Code of 1961 shall provide all Internet protocol (IP)  
18 addresses in his or her residence, registered in his or her  
19 name, accessible at his or her place of employment, or  
20 otherwise under his or her control or custody. The out-of-state  
21 student or out-of-state employee shall register:

22 (1) with the chief of police in the municipality in  
23 which he or she attends school or is employed for a period  
24 of time of 5 or more days or for an aggregate period of  
25 time of more than 30 days during any calendar year, unless  
26 the municipality is the City of Chicago, in which case he

1 or she shall register at the Chicago Police Department  
2 Headquarters; or

3 (2) with the sheriff in the county in which he or she  
4 attends school or is employed for a period of time of 5 or  
5 more days or for an aggregate period of time of more than  
6 30 days during any calendar year in an unincorporated area  
7 or, if incorporated, no police chief exists.

8 The out-of-state student or out-of-state employee shall  
9 provide accurate information as required by the Department of  
10 State Police. That information shall include the out-of-state  
11 student's current place of school attendance or the  
12 out-of-state employee's current place of employment.

13 (a-10) Any law enforcement agency registering sex  
14 offenders or sexual predators in accordance with subsections  
15 (a) or (a-5) of this Section shall forward to the Attorney  
16 General a copy of sex offender registration forms from persons  
17 convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or  
18 11-21 of the Criminal Code of 1961, including periodic and  
19 annual registrations under Section 6 of this Act.

20 (b) Any sex offender, as defined in Section 2 of this Act,  
21 or sexual predator, regardless of any initial, prior, or other  
22 registration, shall, within 3 days of beginning school, or  
23 establishing a residence, place of employment, or temporary  
24 domicile in any county, register in person as set forth in  
25 subsection (a) or (a-5).

26 (c) The registration for any person required to register

1 under this Article shall be as follows:

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

8 (2) Except as provided in subsection (c)(2.1) or  
9 (c)(4), any person convicted or adjudicated prior to  
10 January 1, 1996, whose liability for registration under  
11 Section 7 has not expired, shall register in person prior  
12 to January 31, 1996.

13 (2.1) A sex offender or sexual predator, who has never  
14 previously been required to register under this Act, has a  
15 duty to register if the person has been convicted of any  
16 felony offense after July 1, 2011. A person who previously  
17 was required to register under this Act for a period of 10  
18 years and successfully completed that registration period  
19 has a duty to register if: (i) the person has been  
20 convicted of any felony offense after July 1, 2011, and  
21 (ii) the offense for which the 10 year registration was  
22 served currently requires a registration period of more  
23 than 10 years. Notification of an offender's duty to  
24 register under this subsection shall be pursuant to Section  
25 5-7 of this Act.

26 (2.5) Except as provided in subsection (c)(4), any

1 person who has not been notified of his or her  
2 responsibility to register shall be notified by a criminal  
3 justice entity of his or her responsibility to register.  
4 Upon notification the person must then register within 3  
5 days of notification of his or her requirement to register.  
6 Except as provided in subsection (c)(2.1), if ~~if~~  
7 notification is not made within the offender's 10 year  
8 registration requirement, and the Department of State  
9 Police determines no evidence exists or indicates the  
10 offender attempted to avoid registration, the offender  
11 will no longer be required to register under this Act.

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

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

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

24 (6) The person shall pay a \$100 initial registration  
25 fee and a \$100 annual renewal fee. The fees shall be used  
26 by the registering agency for official purposes. The agency

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

1 Attorney General to administer the I-SORT program and to  
2 alert and educate the public, victims, and witnesses of  
3 their rights under various victim notification laws and for  
4 training law enforcement agencies, State's Attorneys, and  
5 medical providers of their legal duties concerning the  
6 prosecution and investigation of sex offenses.

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

15 (Source: P.A. 95-229, eff. 8-16-07; 95-579, eff. 6-1-08;  
16 95-640, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.  
17 8-21-08; 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11; 96-1097,  
18 eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff. 1-1-11;  
19 96-1551, eff. 7-1-11.)

20 (730 ILCS 150/3-5)

21 Sec. 3-5. Application of Act to adjudicated juvenile  
22 delinquents.

23 (a) In all cases involving an adjudicated juvenile  
24 delinquent who meets the definition of sex offender as set  
25 forth in paragraph (5) of subsection (A) of Section 2 of this

1 Act, the court shall order the minor to register as a sex  
2 offender.

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

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

17 (d) The court may upon a hearing on the petition for  
18 termination of registration, terminate registration if the  
19 court finds that the registrant poses no risk to the community  
20 by a preponderance of the evidence based upon the factors set  
21 forth in subsection (e).

22 Notwithstanding any other provisions of this Act to the  
23 contrary, no registrant whose registration has been terminated  
24 under this Section shall be required to register under the  
25 provisions of this Act for the offense or offenses which were  
26 the subject of the successful petition for termination of



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

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

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

10 (2) the sex offender history of the adjudicated  
11 juvenile delinquent;

12 (3) evidence of the adjudicated juvenile delinquent's  
13 rehabilitation;

14 (4) the age of the adjudicated juvenile delinquent at  
15 the time of the offense;

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

19 (6) victim impact statements; and

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

21 (f) At the hearing set forth in subsections (c) and (d), a  
22 registrant shall be represented by counsel and may present a  
23 risk assessment conducted by an evaluator who is a licensed  
24 psychiatrist, psychologist, or other mental health  
25 professional, and who has demonstrated clinical experience in  
26 juvenile sex offender treatment.

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

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

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

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

21 (730 ILCS 150/5-7 new)

22 Sec. 5-7. Notification and release or discharge of sex  
23 offender or sexual predator upon conviction for a felony  
24 offense committed after July 1, 2011. A person with a duty to  
25 register under paragraph (2.1) of subsection (c) of Section 3,

1 who is released on probation or conditional discharge for  
2 conviction on a felony offense committed on or after July 1,  
3 2011, shall, prior to release be notified of his or her duty to  
4 register as set forth in Section 5 of this Act. A person with a  
5 duty to register under paragraph (2.1) of subsection (c) of  
6 Section 3 who is discharged, paroled, or released from a  
7 Department of Corrections facility or other penal institution  
8 shall be notified of his or her duty to register as set forth  
9 in Section 4 of this Act. Any other person with a duty to  
10 register under paragraph (2.1) of subsection (c) of Section 3,  
11 who is unable to comply with the registration requirements  
12 because he or she is otherwise confined or institutionalized  
13 shall register in person within 3 days after release or  
14 discharge.

15 (730 ILCS 150/7) (from Ch. 38, par. 227)

16 Sec. 7. Duration of registration. A person who has been  
17 adjudicated to be sexually dangerous and is later released or  
18 found to be no longer sexually dangerous and discharged, shall  
19 register for the period of his or her natural life. A sexually  
20 violent person or sexual predator shall register for the period  
21 of his or her natural life after conviction or adjudication if  
22 not confined to a penal institution, hospital, or other  
23 institution or facility, and if confined, for the period of his  
24 or her natural life after parole, discharge, or release from  
25 any such facility. A person who becomes subject to registration

1 under paragraph (2.1) of subsection (c) of Section 3 of this  
2 Article who has previously been subject to registration under  
3 this Article shall register for the period currently required  
4 for the offense for which the person was previously registered  
5 if not confined to a penal institution, hospital, or other  
6 institution or facility, and if confined, for the same period  
7 after parole, discharge, or release from any such facility.  
8 Except as otherwise provided in this Section, a ~~A~~ person who  
9 becomes subject to registration under this Article who has  
10 previously been subject to registration under this Article or  
11 under the Child Murderer and Violent Offender Against Youth  
12 Registration Act or similar registration requirements of other  
13 jurisdictions shall register for the period of his or her  
14 natural life if not confined to a penal institution, hospital,  
15 or other institution or facility, and if confined, for the  
16 period of his or her natural life after parole, discharge, or  
17 release from any such facility. Any other person who is  
18 required to register under this Article shall be required to  
19 register for a period of 10 years after conviction or  
20 adjudication if not confined to a penal institution, hospital  
21 or any other institution or facility, and if confined, for a  
22 period of 10 years after parole, discharge or release from any  
23 such facility. A sex offender who is allowed to leave a county,  
24 State, or federal facility for the purposes of work release,  
25 education, or overnight visitations shall be required to  
26 register within 3 days of beginning such a program. Liability

1 for registration terminates at the expiration of 10 years from  
2 the date of conviction or adjudication if not confined to a  
3 penal institution, hospital or any other institution or  
4 facility and if confined, at the expiration of 10 years from  
5 the date of parole, discharge or release from any such  
6 facility, providing such person does not, during that period,  
7 again become liable to register under the provisions of this  
8 Article. Reconfinement due to a violation of parole or other  
9 circumstances that relates to the original conviction or  
10 adjudication shall extend the period of registration to 10  
11 years after final parole, discharge, or release. Reconfinement  
12 due to a violation of parole, a conviction revising  
13 registration, or other circumstances that do not relate to the  
14 original conviction or adjudication shall toll the running of  
15 the balance of the 10-year period of registration, which shall  
16 not commence running until after final parole, discharge, or  
17 release. The Director of State Police, consistent with  
18 administrative rules, shall extend for 10 years the  
19 registration period of any sex offender, as defined in Section  
20 2 of this Act, who fails to comply with the provisions of this  
21 Article. The registration period for any sex offender who fails  
22 to comply with any provision of the Act shall extend the period  
23 of registration by 10 years beginning from the first date of  
24 registration after the violation. If the registration period is  
25 extended, the Department of State Police shall send a  
26 registered letter to the law enforcement agency where the sex

1 offender resides within 3 days after the extension of the  
2 registration period. The sex offender shall report to that law  
3 enforcement agency and sign for that letter. One copy of that  
4 letter shall be kept on file with the law enforcement agency of  
5 the jurisdiction where the sex offender resides and one copy  
6 shall be returned to the Department of State Police.

7 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 95-169,  
8 eff. 8-14-07; 95-331, eff. 8-21-07; 95-513, eff. 6-1-08;  
9 95-640, eff. 6-1-08; 95-876, eff. 8-21-08.)".