



Rep. Rich Brauer

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LRB097 07370 RLC 53015 a

1 AMENDMENT TO HOUSE BILL 2583

2 AMENDMENT NO. _____. Amend House Bill 2583 by replacing
3 everything after the enacting clause with the following:

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

6 (730 ILCS 150/3)

7 Sec. 3. Duty to register.

8 (a) A sex offender, as defined in Section 2 of this Act, or
9 sexual predator shall, within the time period prescribed in
10 subsections (b) and (c), register in person and provide
11 accurate information as required by the Department of State
12 Police. Such information shall include a current photograph,
13 current address, current place of employment, the sex
14 offender's or sexual predator's telephone number, including
15 cellular telephone number, the employer's telephone number,
16 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 if not incarcerated 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, immediately preceding release from a
13 penal institution if incarcerated for the sex offense for which
14 registration is required under this Act, submit the information
15 required in subsection (a) to an agent of the Department of
16 Corrections as provided by administrative rule. The agent shall
17 submit the information to the Department of State Police as
18 soon as practicable after receipt. If the sex offender or
19 sexual predator is not incarcerated that person shall, within 3
20 days of beginning school, or establishing a residence, place of
21 employment, or temporary domicile in any county, register in
22 person as set forth in subsection (a) or (a-5).

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

25 (1) Any person registered under the Habitual Child Sex
26 Offender Registration Act or the Child Sex Offender

1 Registration Act prior to January 1, 1996, shall be deemed
2 initially registered as of January 1, 1996; however, this
3 shall not be construed to extend the duration of
4 registration set forth in Section 7.

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

9 (2.5) Except as provided in subsection (c)(4), any
10 person who has not been notified of his or her
11 responsibility to register shall be notified by a criminal
12 justice entity of his or her responsibility to register.
13 Upon notification the person must then register within 3
14 days of notification of his or her requirement to register.
15 If notification is not made within the offender's 10 year
16 registration requirement, and the Department of State
17 Police determines no evidence exists or indicates the
18 offender attempted to avoid registration, the offender
19 will no longer be required to register under this Act.

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

24 (4) Any person unable to comply with the registration
25 requirements of this Article because he or she is confined,
26 institutionalized, or imprisoned in Illinois on or after

1 January 1, 1996, shall register in person within 3 days of
2 discharge, parole or release.

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

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

1 \$30 of the annual renewal fee shall be deposited into the
2 Sex Offender Registration Fund and shall be used by the
3 Department of State Police to maintain and update the
4 Illinois State Police Sex Offender Registry. Thirty
5 dollars of the initial registration fee and \$30 of the
6 annual renewal fee shall be deposited into the Attorney
7 General Sex Offender Awareness, Training, and Education
8 Fund. Moneys deposited into the Fund shall be used by the
9 Attorney General to administer the I-SORT program and to
10 alert and educate the public, victims, and witnesses of
11 their rights under various victim notification laws and for
12 training law enforcement agencies, State's Attorneys, and
13 medical providers of their legal duties concerning the
14 prosecution and investigation of sex offenses.

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

23 (Source: P.A. 95-229, eff. 8-16-07; 95-579, eff. 6-1-08;
24 95-640, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.
25 8-21-08; 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11; 96-1097,
26 eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff. 1-1-11;

1 revised 9-2-10.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".