

1 AN ACT concerning regulation.

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

4 Section 5. The Sex Offender Evaluation and Treatment
5 Provider Act is amended by changing Sections 35 and 999 as
6 follows:

7 (225 ILCS 109/35)

8 Sec. 35. Qualifications for licensure.

9 (a)(1) A person is qualified for licensure as a sex
10 offender evaluator if that person:

11 (A) has applied in writing on forms prepared and
12 furnished by the Department;

13 (B) has not engaged or is not engaged in any practice
14 or conduct that would be grounds for disciplining a
15 licensee under Section 75 of this Act; and

16 (C) satisfies the licensure and experience
17 requirements of paragraph (2) of this subsection (a).

18 (2) A person who applies to the Department shall be issued
19 a sex offender evaluator license by the Department if the
20 person meets the qualifications set forth in paragraph (1) of
21 this subsection (a) and provides evidence to the Department
22 that the person:

23 (A) is a physician licensed to practice medicine in all

1 of its branches under the Medical Practice Act of 1987 or
2 licensed under the laws of another state; an advanced
3 practice nurse with psychiatric specialty licensed under
4 the Nurse Practice Act or licensed under the laws of
5 another state; a clinical psychologist licensed under the
6 Clinical Psychologist Licensing Act or licensed under the
7 laws of another state; a licensed clinical social worker
8 licensed under the Clinical Social Work and Social Work
9 Practice Act or licensed under the laws of another state; a
10 licensed clinical professional counselor licensed under
11 the Professional Counselor and Clinical Professional
12 Counselor Licensing Act or licensed under the laws of
13 another state; or a licensed marriage and family therapist
14 licensed under the Marriage and Family Therapist Licensing
15 Act or licensed under the laws of another state;

16 (B) has 400 hours of supervised experience in the
17 treatment or evaluation of sex offenders in the last 4
18 years, at least 200 of which are face-to-face therapy or
19 evaluation with sex offenders;

20 (C) has completed at least 10 sex offender evaluations
21 under supervision in the past 4 years; and

22 (D) has at least 40 hours of documented training in the
23 specialty of sex offender evaluation, treatment, or
24 management.

25 Until January 1, 2015, the requirements of subparagraphs
26 (B) and (D) of paragraph (2) of this subsection (a) are

1 satisfied if the applicant has been listed on the Sex Offender
2 Management Board's Approved Provider List for a minimum of 2
3 years before application for licensure. Until January 1, 2015,
4 the requirements of subparagraph (C) of paragraph (2) of this
5 subsection (a) are satisfied if the applicant has completed at
6 least 10 sex offender evaluations within the 4 years before
7 application for licensure.

8 (b) (1) A person is qualified for licensure as a sex
9 offender treatment provider if that person:

10 (A) has applied in writing on forms prepared and
11 furnished by the Department;

12 (B) has not engaged or is not engaged in any practice
13 or conduct that would be grounds for disciplining a
14 licensee under Section 75 of this Act; and

15 (C) satisfies the licensure and experience
16 requirements of paragraph (2) of this subsection (b).

17 (2) A person who applies to the Department shall be issued
18 a sex offender treatment provider license by the Department if
19 the person meets the qualifications set forth in paragraph (1)
20 of this subsection (b) and provides evidence to the Department
21 that the person:

22 (A) is a physician licensed to practice medicine in all
23 of its branches under the Medical Practice Act of 1987 or
24 licensed under the laws of another state; an advanced
25 practice nurse with psychiatric specialty licensed under
26 the Nurse Practice Act or licensed under the laws of

1 another state; a clinical psychologist licensed under the
2 Clinical Psychologist Licensing Act or licensed under the
3 laws of another state; a licensed clinical social worker
4 licensed under the Clinical Social Work and Social Work
5 Practice Act or licensed under the laws of another state; a
6 licensed clinical professional counselor licensed under
7 the Professional Counselor and Clinical Professional
8 Counselor Licensing Act or licensed under the laws of
9 another state; or a licensed marriage and family therapist
10 licensed under the Marriage and Family Therapist Licensing
11 Act or licensed under the laws of another state;

12 (B) has 400 hours of supervised experience in the
13 treatment of sex offenders in the last 4 years, at least
14 200 of which are face-to-face therapy with sex offenders;
15 and

16 (C) has at least 40 hours documented training in the
17 specialty of sex offender evaluation, treatment, or
18 management.

19 Until January 1, 2015, the requirements of subparagraphs
20 (B) and (C) of paragraph (2) of this subsection (b) are
21 satisfied if the applicant has been listed on the Sex Offender
22 Management Board's Approved Provider List for a minimum of 2
23 years before application.

24 (c) (1) A person is qualified for licensure as an associate
25 sex offender provider if that person:

26 (A) has applied in writing on forms prepared and

1 furnished by the Department;

2 (B) has not engaged or is not engaged in any practice
3 or conduct that would be grounds for disciplining a
4 licensee under Section 75 of this Act; and

5 (C) satisfies the education and experience
6 requirements of paragraph (2) of this subsection (c).

7 (2) A person who applies to the Department shall be issued
8 an associate sex offender provider license by the Department if
9 the person meets the qualifications set forth in paragraph (1)
10 of this subsection (c) and provides evidence to the Department
11 that the person holds a master's degree or higher in social
12 work, psychology, marriage and family therapy, counseling or
13 closely related behavioral science degree, or psychiatry.

14 (Source: P.A. 97-1098, eff. 7-1-13.)

15 (225 ILCS 109/999)

16 Sec. 999. Effective date. This Act takes effect July 1,
17 2013, except that this Section, Section 175, Section 180, and
18 the amendatory changes to Sections 2 and 3 of the Sex Offender
19 Registration Act take effect on January 1, 2013, the other
20 amendatory changes to Section 3-5 of the Sex Offender
21 Registration Act, the amendatory changes to the Sexually
22 Dangerous Persons Act, and the amendatory changes to the
23 Sexually Violent Persons Commitment Act take effect July
24 ~~January~~ 1, 2014.

25 (Source: P.A. 97-1098, eff. 1-1-13.)

1 Section 10. The Sex Offender Registration Act is amended by
2 changing Section 3 as follows:

3 (730 ILCS 150/3)

4 Sec. 3. Duty to register.

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

1 the sex offender and given to the sex offender by his or her
2 supervising officer or aftercare specialist, the county of
3 conviction, license plate numbers for every vehicle registered
4 in the name of the sex offender, the age of the sex offender at
5 the time of the commission of the offense, the age of the
6 victim at the time of the commission of the offense, and any
7 distinguishing marks located on the body of the sex offender. A
8 sex offender convicted under Section 11-6, 11-20.1, 11-20.1B,
9 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal
10 Code of 2012 shall provide all Internet protocol (IP) addresses
11 in his or her residence, registered in his or her name,
12 accessible at his or her place of employment, or otherwise
13 under his or her control or custody. If the sex offender is a
14 child sex offender as defined in Section 11-9.3 or 11-9.4 of
15 the Criminal Code of 1961 or the Criminal Code of 2012, the sex
16 offender shall report to the registering agency whether he or
17 she is living in a household with a child under 18 years of age
18 who is not his or her own child, provided that his or her own
19 child is not the victim of the sex offense. The sex offender or
20 sexual predator shall register:

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

26 (2) with the sheriff in the county in which he or she

1 resides or is temporarily domiciled for a period of time of
2 3 or more days in an unincorporated area or, if
3 incorporated, no police chief exists.

4 If the sex offender or sexual predator is employed at or
5 attends an institution of higher education, he or she shall
6 also register:

7 (i) with:

8 (A) the chief of police in the municipality in
9 which he or she is employed at or attends an
10 institution of higher education, unless the
11 municipality is the City of Chicago, in which case he
12 or she shall register at the Chicago Police Department
13 Headquarters; or

14 (B) the sheriff in the county in which he or she is
15 employed or attends an institution of higher education
16 located in an unincorporated area, or if incorporated,
17 no police chief exists; and

18 (ii) with the public safety or security director of the
19 institution of higher education which he or she is employed
20 at or attends.

21 The registration fees shall only apply to the municipality
22 or county of primary registration, and not to campus
23 registration.

24 For purposes of this Article, the place of residence or
25 temporary domicile is defined as any and all places where the
26 sex offender resides for an aggregate period of time of 3 or

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

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

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

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

24 (a-5) An out-of-state student or out-of-state employee
25 shall, within 3 days after beginning school or employment in
26 this State, register in person and provide accurate information

1 as required by the Department of State Police. Such information
2 will include current place of employment, school attended, and
3 address in state of residence. A sex offender convicted under
4 Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the
5 Criminal Code of 1961 or the Criminal Code of 2012 shall
6 provide all Internet protocol (IP) addresses in his or her
7 residence, registered in his or her name, accessible at his or
8 her place of employment, or otherwise under his or her control
9 or custody. The out-of-state student or out-of-state employee
10 shall register:

11 (1) with:

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

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

25 (2) with the public safety or security director of the
26 institution of higher education he or she is employed at or

1 attends for a period of time of 5 or more days or for an
2 aggregate period of time of more than 30 days during a
3 calendar year.

4 The registration fees shall only apply to the municipality
5 or county of primary registration, and not to campus
6 registration.

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

12 (a-10) Any law enforcement agency registering sex
13 offenders or sexual predators in accordance with subsections
14 (a) or (a-5) of this Section shall forward to the Attorney
15 General a copy of sex offender registration forms from persons
16 convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or
17 11-21 of the Criminal Code of 1961 or the Criminal Code of
18 2012, including periodic and annual registrations under
19 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 notification
7 is not made within the offender's 10 year registration
8 requirement, and the Department of State Police determines
9 no evidence exists or indicates the offender attempted to
10 avoid registration, the offender will no longer be required
11 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 to the registering law
26 enforcement agency having jurisdiction. ~~The fees shall be~~

1 ~~used by the registering agency for official purposes. The~~
2 ~~agency shall establish procedures to document receipt and~~
3 ~~use of the funds. The registering agency ~~law enforcement~~~~
4 ~~agency having jurisdiction~~ may waive the registration fee
5 if it determines that the person is indigent and unable to
6 pay the registration fee. Thirty-five dollars for the
7 initial registration fee and \$35 of the annual renewal fee
8 shall be retained and used by the registering agency for
9 official purposes. Having retained \$35 of the initial
10 registration fee and \$35 of the annual renewal fee, the
11 registering agency shall remit the remainder of the fee to
12 State agencies within 30 days of receipt for deposit into
13 the State funds as follows:

14 (A) Five dollars of the initial registration fee
15 and \$5 of the annual fee shall be remitted to the State
16 Treasurer who shall deposit the moneys ~~deposited~~ into
17 the Sex Offender Management Board Fund under Section 19
18 of the Sex Offender Management Board Act. Money
19 deposited into the Sex Offender Management Board Fund
20 shall be administered by the Sex Offender Management
21 Board and shall be used by the Board to comply with the
22 provisions of the Sex Offender Management Board Act.

23 (B) Thirty dollars of the initial registration fee
24 and \$30 of the annual renewal fee shall be remitted to
25 the Department of State Police which shall deposit the
26 moneys ~~deposited~~ into the Sex Offender Registration

1 Fund and shall be used by the Department of State
2 Police to maintain and update the Illinois State Police
3 Sex Offender Registry.

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

16 The registering agency shall establish procedures to
17 document the receipt and remittance of the \$100 initial
18 registration fee and \$100 annual renewal fee.

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

1 (Source: P.A. 97-155, eff 1-1-12; 97-333, eff. 8-12-11; 97-578,
2 eff. 1-1-12; 97-1098, eff. 1-1-13; 97-1109, eff. 1-1-13;
3 97-1150, eff. 1-25-13; 98-558, eff. 1-1-14.)

4 Section 95. No acceleration or delay. Where this Act makes
5 changes in a statute that is represented in this Act by text
6 that is not yet or no longer in effect (for example, a Section
7 represented by multiple versions), the use of that text does
8 not accelerate or delay the taking effect of (i) the changes
9 made by this Act or (ii) provisions derived from any other
10 Public Act.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.