



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5908

by Rep. Jaime M. Andrade, Jr.

SYNOPSIS AS INTRODUCED:

70 ILCS 1205/8-23a new

Amends the Park District Code. Requires volunteers to complete an application prior to beginning work as a volunteer including disclosing whether they have been convicted of or found to be a perpetrator of a sex offense. Provides that if a current volunteer is convicted of or found to be the perpetrator of a sex offense, the volunteer shall immediately disclose the conviction or finding to the park district and resign. Provides for penalties for a volunteer who fails to disclose his or her sex offender status. Defines "volunteer" to mean any individual who without compensation or benefits reports to, and is under the direct supervision of, a park district's administrative staff and provides personal services to a park district recreational program that is offered to children. Effective immediately.

LRB099 18125 AWJ 42491 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Park District Code is amended by adding
5 Section 8-23a as follows:

6 (70 ILCS 1205/8-23a new)

7 Sec. 8-23a. Application for volunteers; disclosure of sex
8 offenses; penalty for failure to disclose.

9 (a) For purposes of this Section, "sex offense" means:

10 (1) any offense defined in Sections 11-6, 11-9 through
11 11-9.5, inclusive, and 11-30, of the Criminal Code of 1961
12 or the Criminal Code of 2012; Sections 11-14 through 11-21,
13 inclusive, of the Criminal Code of 1961 or the Criminal
14 Code of 2012; Sections 11-23 (if punished as a Class 3
15 felony), 11-24, 11-25, and 11-26 of the Criminal Code of
16 1961 or the Criminal Code of 2012; and Sections 11-1.20,
17 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-4.9, 12-13, 12-14,
18 12-14.1, 12-15, 12-16, 12-32, 12-33, and 12C-45 of the
19 Criminal Code of 1961 or the Criminal Code of 2012;

20 (2) any attempt to commit any of the offenses listed in
21 paragraph (1) of this definition;

22 (3) any offense committed or attempted in any other
23 state that, if committed or attempted in this State, would

1 have been punishable as one or more of the offenses listed
2 in paragraphs (1) and (2) of this definition; and

3 (4) sexual or physical abuse of any minor under 18
4 years of age that subjects a perpetrator to proceedings
5 under Article II of the Juvenile Court Act of 1987.

6 (b) For purposes of this Section, "volunteer" means any
7 individual who without compensation or benefits reports to, and
8 is under the direct supervision of, a park district's
9 administrative staff and provides personal services to a park
10 district recreational program that is offered to children.

11 (c) Every park district shall require volunteers to
12 complete an application prior to beginning any work as a
13 volunteer. The application shall include, but shall not be
14 limited to, a question for the applicant to answer concerning
15 whether they have been convicted of or found to be the
16 perpetrator of a sex offense. No park district shall knowingly
17 engage a volunteer who has been convicted of or found to be the
18 perpetrator of a sex offense and shall terminate the services
19 of the volunteer upon discovery of such offense.

20 (d) If a current volunteer with a park district is
21 convicted of or found to be the perpetrator of a sex offense,
22 the volunteer shall immediately disclose the conviction or
23 finding to the park district.

24 (e) Failure of a volunteer to disclose that they are a sex
25 offender pursuant to this Section is a Class A misdemeanor,
26 except that a second or subsequent violation is a Class 4

1 felony. Any person convicted of a violation under this
2 subsection shall, in addition to any other penalty required by
3 law, be required to serve a minimum period of 7 days
4 confinement in the local county jail, and the court shall
5 impose a mandatory minimum fine of \$500. These fines shall be
6 deposited in the Sex Offender Registration Fund.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.