

1 AN ACT in relation to sex offenders.

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

4 Section 2. The Criminal Code of 1961 is amended by
5 changing Section 11-9.4 as follows:

6 (720 ILCS 5/11-9.4)

7 Sec. 11-9.4. Approaching, contacting, residing, or
8 communicating with a child within certain places public--park
9 zone by child sex offenders prohibited.

10 (a) It is unlawful for a child sex offender to knowingly
11 be present in any public park building or on real property
12 comprising any public park when persons under the age of 18
13 are present in the building or on the grounds and to
14 approach, contact, or communicate with a child under 18 years
15 of age, unless the offender is a parent or guardian of a
16 person under 18 years of age present in the building or on
17 the grounds.

18 (b) It is unlawful for a child sex offender to knowingly
19 loiter on a public way within 500 feet of a public park
20 building or real property comprising any public park while
21 persons under the age of 18 are present in the building or on
22 the grounds and to approach, contact, or communicate with a
23 child under 18 years of age, unless the offender is a parent
24 or guardian of a person under 18 years of age present in the
25 building or on the grounds.

26 (b-5) It is unlawful for a child sex offender to
27 knowingly reside within 500 feet of a playground or a
28 facility providing programs or services exclusively directed
29 toward persons under 18 years of age. Nothing in this
30 subsection (b-5) prohibits a child sex offender from residing
31 within 500 feet of a playground or a facility providing

1 programs or services exclusively directed toward persons
2 under 18 years of age if the property is owned by the child
3 sex offender and was purchased before the effective date of
4 this amendatory Act of the 91st General Assembly.

5 (b-6) It is unlawful for a child sex offender to
6 knowingly reside within 500 feet of the victim of the sex
7 offense. Nothing in this subsection (b-6) prohibits a child
8 sex offender from residing within 500 feet of the victim if
9 the property in which the child sex offender resides is owned
10 by the child sex offender and was purchased before the
11 effective date of this amendatory Act of the 92nd General
12 Assembly.

13 This subsection (b-6) does not apply if the victim of the
14 sex offense is 21 years of age or older.

15 (c) It is unlawful for a child sex offender to knowingly
16 operate, manage, be employed by, volunteer at, be associated
17 with, or knowingly be present at any facility providing
18 programs or services exclusively directed towards persons
19 under the age of 18. This does not prohibit a child sex
20 offender from owning the real property upon which the
21 programs or services are offered, provided the child sex
22 offender refrains from being present on the premises for the
23 hours during which the programs or services are being
24 offered.

25 (d) Definitions. In this Section:

26 (1) "Child sex offender" means any person who:

27 (i) has been charged under Illinois law, or
28 any substantially similar federal law or law of
29 another state, with a sex offense set forth in
30 paragraph (2) of this subsection (d) or the attempt
31 to commit an included sex offense, and:

32 (A) is convicted of such offense or an
33 attempt to commit such offense; or

34 (B) is found not guilty by reason of

1 insanity of such offense or an attempt to
2 commit such offense; or

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

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

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

21 (F) is the subject of a finding not
22 resulting in an acquittal at a hearing
23 conducted pursuant to a federal law or the law
24 of another state substantially similar to
25 subsection (a) of Section 104-25 of the Code of
26 Criminal Procedure of 1963 for the alleged
27 violation or attempted commission of such
28 offense; or

29 (ii) is certified as a sexually dangerous
30 person pursuant to the Illinois Sexually Dangerous
31 Persons Act, or any substantially similar federal
32 law or the law of another state, when any conduct
33 giving rise to such certification is committed or
34 attempted against a person less than 18 years of

1 age; or

2 (iii) is subject to the provisions of Section
3 2 of the Interstate Agreements on Sexually Dangerous
4 Persons Act.

5 Convictions that result from or are connected with
6 the same act, or result from offenses committed at the
7 same time, shall be counted for the purpose of this
8 Section as one conviction. Any conviction set aside
9 pursuant to law is not a conviction for purposes of this
10 Section.

11 (2) Except as otherwise provided in paragraph
12 (2.5), "sex offense" means:

13 (i) A violation of any of the following
14 Sections of the Criminal Code of 1961: 10-7 (aiding
15 and abetting child abduction under Section
16 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6
17 (indecent solicitation of a child), 11-6.5 (indecent
18 solicitation of an adult), 11-9 (public indecency
19 when committed in a school, on the real property
20 comprising a school, on a conveyance owned, leased,
21 or contracted by a school to transport students to
22 or from school or a school related activity, or in a
23 public park), 11-9.1 (sexual exploitation of a
24 child), 11-15.1 (soliciting for a juvenile
25 prostitute), 11-17.1 (keeping a place of juvenile
26 prostitution), 11-18.1 (patronizing a juvenile
27 prostitute), 11-19.1 (juvenile pimping), 11-19.2
28 (exploitation of a child), 11-20.1 (child
29 pornography), 11-21 (harmful material), 12-14.1
30 (predatory criminal sexual assault of a child),
31 12-33 (ritualized abuse of a child), 11-20
32 (obscenity) (when that offense was committed in any
33 school, on real property comprising any school, on
34 any conveyance owned, leased, or contracted by a

1 school to transport students to or from school or a
2 school related activity, or in a public park). An
3 attempt to commit any of these offenses.

4 (ii) A violation of any of the following
5 Sections of the Criminal Code of 1961, when the
6 victim is a person under 18 years of age: 12-13
7 (criminal sexual assault), 12-14 (aggravated
8 criminal sexual assault), 12-15 (criminal sexual
9 abuse), 12-16 (aggravated criminal sexual abuse).
10 An attempt to commit any of these offenses.

11 (iii) A violation of any of the following
12 Sections of the Criminal Code of 1961, when the
13 victim is a person under 18 years of age and the
14 defendant is not a parent of the victim:

- 15 10-1 (kidnapping),
- 16 10-2 (aggravated kidnapping),
- 17 10-3 (unlawful restraint),
- 18 10-3.1 (aggravated unlawful restraint).

19 An attempt to commit any of these offenses.

20 (iv) A violation of any former law of this
21 State substantially equivalent to any offense listed
22 in clause (2)(i) of this subsection (d).

23 (2.5) For the purposes of subsection (b-5) only, a
24 sex offense means:

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

- 27 10-5(b)(10) (child luring), 10-7 (aiding
- 28 and abetting child abduction under Section
- 29 10-5(b)(10)), 11-6 (indecent solicitation of a
- 30 child), 11-6.5 (indecent solicitation of an
- 31 adult), 11-15.1 (soliciting for a juvenile
- 32 prostitute), 11-17.1 (keeping a place of
- 33 juvenile prostitution), 11-18.1 (patronizing a
- 34 juvenile prostitute), 11-19.1 (juvenile

1 pimping), 11-19.2 (exploitation of a child),
 2 11-20.1 (child pornography), 12-14.1 (predatory
 3 criminal sexual assault of a child), or 12-33
 4 (ritualized abuse of a child). An attempt to
 5 commit any of these offenses.

6 (ii) A violation of any of the following
 7 Sections of the Criminal Code of 1961, when the
 8 victim is a person under 18 years of age: 12-13
 9 (criminal sexual assault), 12-14 (aggravated
 10 criminal sexual assault), 12-16 (aggravated criminal
 11 sexual abuse), and subsection (a) of Section 12-15
 12 (criminal sexual abuse). An attempt to commit any
 13 of these offenses.

14 (iii) A violation of any of the following
 15 Sections of the Criminal Code of 1961, when the
 16 victim is a person under 18 years of age and the
 17 defendant is not a parent of the victim:

- 18 10-1 (kidnapping),
- 19 10-2 (aggravated kidnapping),
- 20 10-3 (unlawful restraint),
- 21 10-3.1 (aggravated unlawful restraint).

22 An attempt to commit any of these offenses.

23 (iv) A violation of any former law of this
 24 State substantially equivalent to any offense listed
 25 in this paragraph (2.5) of this subsection.

26 (3) A conviction for an offense of federal law or
 27 the law of another state that is substantially equivalent
 28 to any offense listed in paragraph (2) of this
 29 subsection (d) shall constitute a conviction for the
 30 purpose of this Section. A finding or adjudication as a
 31 sexually dangerous person under any federal law or law of
 32 another state that is substantially equivalent to the
 33 Sexually Dangerous Persons Act shall constitute an
 34 adjudication for the purposes of this Section.

1 (4) "Public park" includes a park, forest preserve,
2 or conservation area under the jurisdiction of the State
3 or a unit of local government.

4 (5) "Facility providing programs or services
5 directed towards persons under the age of 18" means any
6 facility providing programs or services exclusively
7 directed towards persons under the age of 18.

8 (6) "Loiter" means:

9 (i) Standing, sitting idly, whether or not the
10 person is in a vehicle or remaining in or around
11 public park property.

12 (ii) Standing, sitting idly, whether or not
13 the person is in a vehicle or remaining in or around
14 public park property, for the purpose of committing
15 or attempting to commit a sex offense.

16 (7) "Playground" means a piece of land owned or
17 controlled by a unit of local government that is
18 designated by the unit of local government for use solely
19 or primarily for children's recreation.

20 (e) Sentence. A person who violates this Section is
21 guilty of a Class 4 felony.

22 (Source: P.A. 91-458, eff. 1-1-00; 91-911, eff. 7-7-00.)

23 Section 5. The Sex Offender Registration Act is amended
24 by changing Sections 2, 3, 4, 5, 5-5, 6, 7, 8-5, and 10 as
25 follows:

26 (730 ILCS 150/2) (from Ch. 38, par. 222)

27 Sec. 2. Definitions.

28 (A) As used in this Article, ~~the following definitions~~
29 ~~apply~~ ~~-(A)~~ "sex offender" means any person who is:

30 (1) charged pursuant to Illinois law, or any
31 substantially similar federal, Uniform Code of Military
32 Justice, sister state, or foreign country law, with a sex

1 offense set forth in subsection (B) of this Section or
2 the attempt to commit an included sex offense, and:

3 (a) is convicted of such offense or an attempt
4 to commit such offense; or

5 (b) is found not guilty by reason of insanity
6 of such offense or an attempt to commit such
7 offense; or

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

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

17 (e) is found not guilty by reason of insanity
18 following a hearing conducted pursuant to a federal,
19 Uniform Code of Military Justice, sister state, or
20 foreign country law substantially similar to Section
21 104-25(c) of the Code of Criminal Procedure of 1963
22 of such offense or of the attempted commission of
23 such offense; or

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

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

1 or

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

4 or

5 (4) found to be a sexually violent person pursuant
6 to the Sexually Violent Persons Commitment Act or any
7 substantially similar federal, Uniform Code of Military
8 Justice, sister state, or foreign country law; or.

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

22 Convictions that result from or are connected with the
23 same act, or result from offenses committed at the same time,
24 shall be counted for the purpose of this Article as one
25 conviction. Any conviction set aside pursuant to law is not
26 a conviction for purposes of this Article.

27 ~~(A-5)--"Juvenile-sex-offender"--means-any--person--who--is~~
28 ~~Adjudicated--a--juvenile--delinquent--as--the--result--of--the~~
29 ~~commission-of-or-attempt-to-commit-a-violation-set--forth--in~~
30 ~~item-(B),-(C),-or-(C-5)-of-this-Section-or-a-violation-of-any~~
31 ~~substantially--similar--federal,-sister--state,-or--foreign~~
32 ~~country-law. For purposes of this Section, "convicted" shall~~
33 ~~have the same meaning as "adjudicated".~~

34 (B) As used in this Article Section, "sex offense"

1 means:

2 (1) A violation of any of the following Sections of
3 the Criminal Code of 1961:

- 4 11-20.1 (child pornography),
- 5 11-6 (indecent solicitation of a child),
- 6 11-9.1 (sexual exploitation of a child),
- 7 11-15.1 (soliciting for a juvenile prostitute),
- 8 11-18.1 (patronizing a juvenile prostitute),
- 9 11-17.1 (keeping a place of juvenile
- 10 prostitution),
- 11 11-19.1 (juvenile pimping),
- 12 11-19.2 (exploitation of a child),
- 13 12-13 (criminal sexual assault),
- 14 12-14 (aggravated criminal sexual assault),
- 15 12-14.1 (predatory criminal sexual assault of a
- 16 child),
- 17 12-15 (criminal sexual abuse),
- 18 12-16 (aggravated criminal sexual abuse),
- 19 12-33 (ritualized abuse of a child).

20 An attempt to commit any of these offenses.

21 (1.5) A felony violation of any of the following
22 Sections of the Criminal Code of 1961, when the victim is
23 a person under 18 years of age, the defendant is not a
24 parent of the victim, and the offense was committed on or
25 after January 1, 1996:

- 26 10-1 (kidnapping),
- 27 10-2 (aggravated kidnapping),
- 28 10-3 (unlawful restraint),
- 29 10-3.1 (aggravated unlawful restraint).

30 An attempt to commit any of these offenses.

31 (1.6) First degree murder under Section 9-1 of the
32 Criminal Code of 1961, when the victim was a person under
33 18 years of age, the defendant was at least 17 years of
34 age at the time of the commission of the offense, and the

1 offense was committed on or after June 1, 1996.

2 (1.7) (Blank).

3 (1.8) A violation or attempted violation of Section
4 11-11 (sexual relations within families) of the Criminal
5 Code of 1961, ~~when-the-victim-was-a-person-under-18-years~~
6 ~~of-age~~ and the offense was committed on or after June 1,
7 1997.

8 (1.9) Child abduction under paragraph (10) of
9 subsection (b) of Section 10-5 of the Criminal Code of
10 1961 committed by luring or attempting to lure a child
11 under the age of 16 into a motor vehicle, building, house
12 trailer ~~housetrailer~~, or dwelling place without the
13 consent of the parent or lawful custodian of the child
14 for other than a lawful purpose and the offense was
15 committed on or after January 1, 1998.

16 (1.10) A violation or attempted violation of any of
17 the following Sections of the Criminal Code of 1961 when
18 the offense was committed on or after July 1, 1999 ~~the~~
19 ~~effective-date-of-this-amendatory-Act-of-the-91st-General~~
20 ~~Assembly:~~

21 10-4 (forcible detention, if the victim is
22 under 18 years of age),

23 11-6.5 (indecent solicitation of an adult),

24 11-15 (soliciting for a prostitute, if the
25 victim is under 18 years of age),

26 11-16 (pandering, if the victim is under 18
27 years of age),

28 11-18 (patronizing a prostitute, if the victim
29 is under 18 years of age),

30 11-19 (pimping, if the victim is under 18
31 years of age).

32 (1.11) A violation or attempted violation of any of
33 the following Sections of the Criminal Code of 1961 when
34 the offense was committed on or after the effective date

1 of this amendatory Act of the 92nd General Assembly:

2 11-9 (public indecency for a third or
3 subsequent conviction),

4 11-9.2 (custodial sexual misconduct).

5 (1.12) A violation or attempted violation of
6 Section 5.1 of the Wrongs to Children Act (permitting
7 sexual abuse) when the offense was committed on or after
8 the effective date of this amendatory Act of the 92nd
9 General Assembly.

10 (2) A violation of any former law of this State
11 substantially equivalent to any offense listed in
12 subsection (B)~~(1)~~ of this Section.

13 (C) A conviction for an offense of federal law, Uniform
14 Code of Military Justice, or the law of another state or a
15 foreign country that is substantially equivalent to any
16 offense listed in subsections ~~subsectien~~ (B), (C), and (E) of
17 this Section shall constitute a conviction for the purpose of
18 this Article. A finding or adjudication as a sexually
19 dangerous person or a sexually violent person under any
20 federal law, Uniform Code of Military Justice, or the law of
21 another state or foreign country that is substantially
22 equivalent to the Sexually Dangerous Persons Act or the
23 Sexually Violent Persons Commitment Act shall constitute an
24 adjudication for the purposes of this Article.

25 (C-5) A person at least 17 years of age at the time of
26 the commission of the offense who is convicted of first
27 degree murder under Section 9-1 of the Criminal Code of 1961,
28 committed on or after June 1, 1996 against a person under 18
29 years of age, shall be required to register for natural life.
30 A conviction for an offense of federal, Uniform Code of
31 Military Justice, sister state, or foreign country law that
32 is substantially equivalent to any offense listed in
33 subsection (C-5) of this Section shall constitute a
34 conviction for the purpose of this Article.

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

13 (E) As used in this Article, "sexual predator" means any
 14 person who, after July 1, 1999 ~~the--effective--date--of--this~~
 15 ~~amendatory-Act-of-the-91st-General-Assembly~~, is:

16 (1) Convicted for an offense of federal, Uniform
 17 Code of Military Justice, sister state, or foreign
 18 country law that is substantially equivalent to any
 19 offense listed in subsection (E) of this Section shall
 20 constitute a conviction for the purpose of this Article.
 21 Convicted of a violation or attempted violation of any of
 22 the following Sections of the Criminal Code of 1961, if
 23 and the conviction occurred after July 1, 1999 ~~the~~
 24 ~~effective-date-of-this-amendatory-Act-of-the-91st-General~~
 25 ~~Assembly~~:

- 26 11-17.1 (keeping a place of juvenile
- 27 prostitution),
- 28 11-19.1 (juvenile pimping),
- 29 11-19.2 (exploitation of a child),
- 30 11-20.1 (child pornography),
- 31 12-13 (criminal sexual assault, if the victim
- 32 is a person under 12 years of age),
- 33 12-14 (aggravated criminal sexual assault),
- 34 12-14.1 (predatory criminal sexual assault of

1 a child),
 2 12-16 (aggravated criminal sexual abuse),
 3 12-33 (ritualized abuse of a child); or
 4 (2) convicted of first degree murder under Section
 5 9-1 of the Criminal Code of 1961, when the victim was a
 6 person under 18 years of age and the defendant was at
 7 least 17 years of age at the time of the commission of
 8 the offense; or

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

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

17 (5) convicted of a second or subsequent offense
 18 which requires registration pursuant to this Act. The
 19 conviction for the second or subsequent offense must have
 20 occurred after July 1, 1999 ~~the effective date of this~~
 21 ~~amendatory Act of the 91st General Assembly.~~ For
 22 purposes of this paragraph (5), "convicted" shall include
 23 ~~includes~~ a conviction under any substantially similar
 24 Illinois, federal, Uniform Code of Military Justice,
 25 sister state, or foreign country law.

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

33 (G) As used in this Article, "out-of-state employee"
 34 means any sex offender, as defined in this Section, or sexual

1 predator who works in Illinois, regardless of whether the
 2 individual receives payment for services performed, for a
 3 period of time of 10 or more ~~exceeding--14~~ days or for an
 4 aggregate period of time of exceeding 30 or more days during
 5 any calendar year. Persons who operate motor vehicles in the
 6 State accrue one day of employment time for any portion of a
 7 day spent in Illinois.

8 (Source: P.A. 90-193, eff. 7-24-97; 90-494, eff. 1-1-98;
 9 90-655, eff. 7-30-98; 91-48, eff. 7-1-99; revised 12-9-99.)

10 (730 ILCS 150/3) (from Ch. 38, par. 223)

11 Sec. 3. Duty to register.

12 (a) A sex offender, as defined in Section 2 of this Act,
 13 or sexual predator shall, within the time period prescribed
 14 in subsections (b) and subsection (c), register in person and
 15 provide accurate information as required by the Department of
 16 State Police. Such information shall ~~will~~ include current
 17 address, current place of employment, and school attended.
 18 The sex offender or sexual predator shall register:

19 (1) with the chief of police in each of the
 20 municipalities ~~municipality~~ in which he or she attends
 21 school, is employed, resides or is temporarily domiciled
 22 for a period of time of 10 or more days, unless the
 23 municipality is the City of Chicago, in which case he or
 24 she shall register at the Chicago Police Department
 25 Headquarters; or

26 (2) with the sheriff in each of the counties in
 27 which ~~county,--if~~ he or she attends school, is employed,
 28 resides or is temporarily domiciled ~~for more than 10 days~~
 29 in an unincorporated area or, if incorporated, no police
 30 chief exists.

31 For purposes of this Article, the place of residence or
 32 temporary domicile is defined as any and all places where the
 33 sex offender resides for an aggregate period of time of 10 or

1 more days during any calendar year.

2 The sex offender or sexual predator shall provide
3 accurate information as required by the Department of State
4 Police. That information shall include the sex offender's or
5 sexual predator's current place of employment.

6 (a-5) An A out-of-state student or out-of-state employee
7 shall, within 10 days after beginning school or employment in
8 this State, register in person and provide accurate
9 information as required by the Department of State Police.
10 Such information will include current place of employment,
11 school attended, and address in state of residence:

12 (1) with the chief of police in each of the
13 municipalities municipality in which he or she is
14 employed-er attends school or is employed for a period of
15 time of 10 or more days ~~exceeding-14-days~~ or for an
16 aggregate period of time of more than ~~exceeding~~ 30 days
17 during any calendar year, unless the municipality is the
18 City of Chicago, in which case he or she shall register
19 at the Chicago Police Department Headquarters; ~~i~~7 or

20 (2) with the sheriff in each of the counties county
21 in which he or she attends school or is employed for a
22 period of time of 10 or more days ~~exceeding-14-days~~ or
23 for an aggregate period of time of more than ~~exceeding~~ 30
24 days during any calendar year in an unincorporated area,
25 or, if incorporated, no police chief exists.

26 The out-of-state student or out-of-state employee shall
27 provide accurate information as required by the Department of
28 State Police. That information shall include the
29 out-of-state student's current place of school attendance or
30 the out-of-state employee's current place of employment.

31 ~~(a-5)--In--addition--to--the--registration--requirements~~
32 ~~imposed-upon-a-sex-offender-by-subsection-(a),-a-sex-offender~~
33 ~~who-is-required-to-register-under-this--Article--and--who--is~~
34 ~~employed-on-the-effective-date-of-this-amendatory-Act-of-1999~~

1 within--10--days--after-the-effective-date-of-this-amendatory
 2 Act-of-1999-and-a-sex-offender-who-is-convicted-on--or--after
 3 the--effective-date-of-this-amendatory-Act-of-1999,--within-10
 4 days-after-employment-shall-submit-in-person--or--in--writing
 5 the--business--name--and-address-where-he-or-she-is-employed.
 6 Multiple-businesses-or-work-locations-must-be-reported-to-the
 7 agency-having-jurisdiction.--The-sex-offender-must-submit-his
 8 or-her-business-address-to-the-law-enforcement-agency--having
 9 jurisdiction--within-10-days-after-obtaining-employment-or-if
 10 employed-on-the-effective-date-of-this-amendatory-Act-of-1999
 11 within-10-days-after-that-effective-date.

12 (b) Any sex offender, as defined in Section 2 of this
 13 Act, or sexual predator, regardless of any initial, prior, or
 14 other registration, shall, within 10 days of beginning
 15 school, or establishing a residence, place of employment, or
 16 temporary domicile ~~for more--than--10--days~~ in any county,
 17 register in person as set forth in subsection (a)(1), (a)(2),
 18 or (a-5).

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

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

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

32 (2.5) Except as provided in subsection (c)(4), any
 33 person who has not been notified of his or her
 34 responsibility to register shall be notified by a

1 criminal justice entity of his or her responsibility to
2 register. Upon notification the person must then
3 register within 10 days of notification of his or her
4 requirement to register. If notification is not made
5 within the offender's 10 year registration requirement,
6 and the Department of State Police determines no evidence
7 exists or indicates the offender attempted to avoid
8 registration, the offender will no longer be required to
9 register under this Act.

10 (3) Except as provided in subsection (c)(4), any
11 person convicted on or after January 1, 1996, shall
12 register in person within 10 days after the entry of the
13 sentencing order based upon his or her conviction.†

14 (4) Any person unable to comply with the
15 registration requirements of this Article because he or
16 she is they---are confined, institutionalized, or
17 imprisoned in Illinois on or after January 1, 1996, shall
18 register in person within 10 days of discharge, parole or
19 release.†

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

23 (6) The person shall pay a \$10 initial registration
24 fee and a \$5 annual renewal fee. The fees shall be used
25 by the registering agency for official purposes. The
26 agency shall establish procedures to document receipt and
27 use of the funds. The law enforcement agency having
28 jurisdiction may waive the registration fee if it
29 determines that the person is indigent and unable to pay
30 the registration fee.

31 (d) Within 10 days after obtaining or changing
32 employment and, if employed on January 1, 2000, within 10
33 days after that date, a person required to register under
34 this Section must report, in person or in writing to the law

1 enforcement agency having jurisdiction, the business name and
2 address where he or she is employed. If the person has
3 multiple businesses or work locations, every business and
4 work location must be reported to the law enforcement agency
5 having jurisdiction.

6 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99;
7 91-394, eff. 1-1-00; revised 12-9-99.)

8 (730 ILCS 150/4) (from Ch. 38, par. 224)

9 Sec. 4. Discharge of sex offender, as defined in Section
10 2 of this Act, or sexual predator from Department of
11 Corrections facility or other penal institution; duties of
12 official in charge. Any sex offender, as defined in Section 2
13 of this Act, or sexual predator, as defined by this Article,
14 who is discharged, paroled or released from a Department of
15 Corrections facility, a facility where such person was placed
16 by the Department of Corrections or another penal
17 institution, and whose liability for registration has not
18 terminated under Section 7 shall, prior to discharge, parole
19 or release from the facility or institution, be informed of
20 his or her duty to register in person within 10 days under
21 this Article by the facility or institution in which he or
22 she was confined. The facility or institution shall also
23 inform any person who must register that if he or she
24 establishes a residence outside of the State of Illinois, is
25 employed outside of the State of Illinois, or attends school
26 outside of the State of Illinois, he or she must register in
27 the new state within 10 days after establishing the
28 residence, beginning employment, or beginning school.

29 The facility shall require the person to read and sign
30 such form as may be required by the Department of State
31 Police stating that the duty to register and the procedure
32 for registration has been explained to him or her and that he
33 or she understands the duty to register and the procedure for

1 registration. The facility shall further advise the person
 2 in writing that the failure to register or other violation of
 3 this Article shall result in revocation of parole, mandatory
 4 supervised release or conditional release. The facility shall
 5 obtain information about the address where the person expects
 6 to reside, work, and attend school upon his or her discharge,
 7 parole or release and shall report the information address to
 8 the Department of State Police. The facility shall give one
 9 copy of the form to the person and shall send one copy to
 10 each of two--copies-to-the-Department-of-State-Police-which
 11 shall-notify the law enforcement agencies agency having
 12 jurisdiction where the person expects to reside, work, and
 13 attend school upon his or her discharge, parole or release
 14 and retain one copy for the files. Electronic data files
 15 which includes all notification form information and
 16 photographs of sex offenders being released from an Illinois
 17 Department of Corrections facility will be shared on a
 18 regular basis as determined between the Department of State
 19 Police and the Department of Corrections.

20 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

21 (730 ILCS 150/5) (from Ch. 38, par. 225)

22 Sec. 5. Release of sex offender, as defined in Section 2
 23 of this Act, or sexual predator; duties of the Court. Any sex
 24 offender, as defined in Section 2 of this Act, or sexual
 25 predator, as defined by this Article, who is released on
 26 probation or discharged upon payment of a fine because of the
 27 commission of one of the offenses defined in subsection (B)
 28 of Section 2 of this Article, shall, prior to such release be
 29 informed of his or her duty to register under this Article by
 30 the Court in which he or she was convicted. The Court shall
 31 also inform any person who must register that if he or she
 32 establishes a residence outside of the State of Illinois, is
 33 employed outside of the State of Illinois, or attends school

1 outside of the State of Illinois, he or she must register in
2 the new state within 10 days after establishing the
3 residence, beginning employment, or beginning school. The
4 Court shall require the person to read and sign such form as
5 may be required by the Department of State Police stating
6 that the duty to register and the procedure for registration
7 has been explained to him or her and that he or she
8 understands the duty to register and the procedure for
9 registration. The Court shall further advise the person in
10 writing that the failure to register or other violation of
11 this Article shall result in probation revocation. The Court
12 shall obtain information about the-address where the person
13 expects to reside, work, and attend school upon his or her
14 release, and shall report the information address to the
15 Department of State Police. The Court shall give one copy of
16 the form to the person and retain the original in the court
17 records. The Department of State Police shall notify the law
18 enforcement agencies agency having jurisdiction where the
19 person expects to reside, work and attend school upon his or
20 her release.

21 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

22 (730 ILCS 150/5-5)

23 Sec. 5-5. Discharge of sex offender or sexual predator
24 from a hospital or other treatment facility; duties of the
25 official in charge. Any sex offender, as defined in Section 2
26 of this Act, or sexual predator, as defined in this Article,
27 who is discharged or released from a hospital or other
28 treatment facility where he or she was confined shall be
29 informed by the hospital or treatment facility in which he or
30 she was confined, prior to discharge or release from the
31 hospital or treatment facility, of his or her duty to
32 register under this Article.

33 The facility shall require the person to read and sign

1 such form as may be required by the Department of State
2 Police stating that the duty to register and the procedure
3 for registration has been explained to him or her and that he
4 or she understands the duty to register and the procedure for
5 registration. The facility shall give one copy of the form
6 to the person, retain one copy for their records, and forward
7 the original to the Department of State Police. The facility
8 shall obtain information about ~~the~~-address where the person
9 expects to reside, work, and attend school upon his or her
10 discharge, parole, or release and shall report the
11 information address to the Department of State Police within
12 3 days. The facility or institution shall also inform any
13 person who must register that if he or she establishes a
14 residence outside of the State of Illinois, is employed
15 outside of the State of Illinois, or attends school outside
16 of the State of Illinois, he or she must register in the new
17 state within 10 days after establishing the residence,
18 beginning school, or beginning employment. The Department of
19 State Police shall notify the law enforcement agencies ~~agency~~
20 having jurisdiction where the person expects to reside, work,
21 and attend school upon his or her release.

22 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

23 (730 ILCS 150/6) (from Ch. 38, par. 226)

24 Sec. 6. Duty to report; change of address, school, or
25 employment; duty to inform. A person who has been adjudicated
26 to be sexually dangerous or is a sexually violent person and
27 is later released, or found to be no longer sexually
28 dangerous or no longer a sexually violent person and
29 discharged, shall ~~must~~ report in person to the law
30 enforcement agency with whom he or she last registered no
31 later than 90 days after the date of his or her last
32 registration and every 90 days thereafter. Any other person
33 who is required to register under this Article shall report

1 in person to the appropriate law enforcement agency with whom
2 he or she last registered within one year from the date of
3 last ~~that~~ registration and every year thereafter. If any
4 person required to register under this Article changes his or
5 her residence address, ~~or~~ place of employment, or school, he
6 or she shall, in writing, within 10 days inform the law
7 enforcement agency with whom he or she last registered of his
8 or her new address, change in ~~or-new-place-of~~ employment, or
9 school and register with the appropriate law enforcement
10 agency within the time period specified in Section 3. The
11 law enforcement agency shall, within 3 days of receipt,
12 notify the Department of State Police and the law enforcement
13 agency having jurisdiction of the new place of residence, ~~or~~
14 change in ~~or-new-place-of~~ employment, or school.

15 If any person required to register under this Article
16 establishes a residence or employment outside of the State of
17 Illinois, within 10 days after establishing that residence or
18 employment, he or she shall, in writing, inform the law
19 enforcement agency with which he or she last registered of
20 his or her out-of-state residence or employment. The law
21 enforcement agency with which such person last registered
22 shall, within 3 days notice of an address or employment
23 change, notify the Department of State Police. The
24 Department of State Police shall forward such information to
25 the out-of-state law enforcement agency having jurisdiction
26 in the form and manner prescribed by the Department of State
27 Police.

28 (Source: P.A. 91-48, eff. 7-1-99; 91-394, eff. 1-1-00; 92-16,
29 eff. 6-28-01.)

30 (730 ILCS 150/7) (from Ch. 38, par. 227)

31 Sec. 7. Duration of registration. A person who has been
32 adjudicated to be sexually dangerous and is later released or
33 found to be no longer sexually dangerous and discharged,

1 shall register for the period of his or her natural life. A
2 sexually violent person or sexual predator shall register for
3 the period of his or her natural life after conviction or
4 adjudication if not confined to a penal institution,
5 hospital, or other institution or facility, and if confined,
6 for the period of his or her natural life after parole,
7 discharge, or release from any such facility. Any other
8 person who is required to register under this Article shall
9 be required to register for a period of 10 years after
10 conviction or adjudication if not confined to a penal
11 institution, hospital or any other institution or facility,
12 and if confined, for a period of 10 years after parole,
13 discharge or release from any such facility. A sex offender
14 who is allowed to leave a county, State, or federal facility
15 for the purposes of work release, education, or overnight
16 visitations shall be required to register within 10 days of
17 beginning such a program. Liability for registration
18 terminates at the expiration of 10 years from the date of
19 conviction or adjudication if not confined to a penal
20 institution, hospital or any other institution or facility
21 and if confined, at the expiration of 10 years from the date
22 of parole, discharge or release from any such facility,
23 providing such person does not, during that period, again
24 become liable to register under the provisions of this
25 Article. The Director of State Police, consistent with
26 administrative rules, shall extend for 10 years the
27 registration period of any sex offender, as defined in
28 Section 2 of this Act, who fails to comply with the
29 provisions of this Article.

30 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

31 (730 ILCS 150/8-5)

32 Sec. 8-5. Address verification requirements. The agency
33 having jurisdiction shall verify the address of sex

1 offenders, as defined in Section 2 of this Act, or sexual
2 predators required to register with their agency at least
3 once per calendar year. The verification must be documented
4 in LEADS in the form and manner required by the Department of
5 State Police.

6 (730 ILCS 150/10) (from Ch. 38, par. 230)

7 Sec. 10. Penalty. Any person who is required to
8 register under this Article who violates any of the
9 provisions of this Article and any person who is required to
10 register under this Article who seeks to change his or her
11 name under Article 21 of the Code of Civil Procedure is
12 guilty of a Class 4 felony. Any person who is required to
13 register under this Article who knowingly or wilfully gives
14 material information required by this Article that is false
15 is guilty of a Class 3 felony. Any person convicted of a
16 violation of any provision of this Article shall, in addition
17 to any other penalty required by law, be required to serve a
18 minimum period of 7 days confinement in the local county
19 jail. The court shall impose a mandatory minimum fine of
20 \$500 for failure to comply with any provision of this
21 Article. These fines shall be deposited in the Sex Offender
22 Registration Fund. Any sex offender, as defined in Section 2
23 of this Act, or sexual predator who violates any provision of
24 this Article may be tried in any Illinois county where the
25 sex offender can be located.

26 (Source: P.A. 91-48, eff. 7-1-99; 91-221, eff. 7-22-99;
27 92-16, eff. 6-28-01.)

28 Section 10. The Sex Offender and Child Murderer
29 Community Notification Law is amended by changing Sections
30 105, 117, and 120 as follows:

31 (730 ILCS 152/105)

1 Sec. 105. Definitions. As used in this Article, the
2 following definitions apply:

3 "Child care facilities" has the meaning set forth in the
4 Child Care Act of 1969, but does not include licensed foster
5 homes.

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

17 "Sex offender" means any sex offender as defined in the
18 Sex Offender Registration Act whose offense or adjudication
19 as a sexually dangerous person occurred on or after June 1,
20 1996, and whose victim was under the age of 18 at the time
21 the offense was committed but does not include the offenses
22 set forth in subsection (b)(1.5) of Section 2 of that Act;
23 and any sex offender as defined in the Sex Offender
24 Registration Act whose offense or adjudication as a sexually
25 dangerous person occurred on or after June 1, 1997, and whose
26 victim was 18 years of age or older at the time the offense
27 was committed but does not include the offenses set forth in
28 subsection (b)(1.5) of Section 2 of that Act.

29 "Sex offender" also means any sex offender as defined in
30 the Sex Offender Registration Act whose offense or
31 adjudication as a sexually dangerous person occurred before
32 June 1, 1996, and whose victim was under the age of 18 at the
33 time the offense was committed but does not include the
34 offenses set forth in subsection (b)(1.5) of Section 2 of

1 that Act; and any sex offender as defined in the Sex Offender
2 Registration Act whose offense or adjudication as a sexually
3 dangerous person occurred before June 1, 1997, and whose
4 victim was 18 years of age or older at the time the offense
5 was committed but does not include the offenses set forth in
6 subsection (b)(1.5) of Section 2 of that Act.

7 "Juvenile sex offender" means any person who is
8 adjudicated a juvenile delinquent as the result of the
9 commission of or attempt to commit a violation set forth in
10 item (B), (C), or (C-5) of Section 2 of the Sex Offender
11 Registration Act, or a violation of any substantially similar
12 federal, Uniform Code of Military Justice, sister state, or
13 foreign country law, and whose adjudication occurred on or
14 after the effective date of this amendatory Act of the 91st
15 General Assembly.

16 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

17 (730 ILCS 152/117)

18 Sec. 117. The Department of State Police shall
19 promulgate rules to develop a list of sex offenders covered
20 by this Act and a list of child care facilities, and schools,
21 and institutions of higher education eligible to receive
22 notice under this Act, so that the list can be disseminated
23 in a timely manner to law enforcement agencies having
24 jurisdiction.

25 (Source: P.A. 89-428, eff. 6-1-96; 89-462, eff. 6-1-96;
26 90-193, eff. 7-24-97.)

27 (730 ILCS 152/120)

28 Sec. 120. Community notification of sex offenders.

29 (a) The sheriff of the county, except Cook County, shall
30 disclose to the following the name, address, date of birth,
31 place of employment, school attended, and offense or
32 adjudication of all sex offenders required to register under

1 Section 3 of the Sex Offender Registration Act:

2 (1) The boards of institutions of higher education
3 or other appropriate administrative offices of each
4 non-public institution of higher education located in the
5 county where the sex offender is required to register,
6 resides, is employed, or is attending an institution of
7 higher education {Blank}; and

8 (2) School boards of public school districts and
9 the principal or other appropriate administrative officer
10 of each nonpublic school located in the county where the
11 sex offender is required to register or is employed; and

12 (3) Child care facilities located in the county
13 where the sex offender is required to register or is
14 employed.

15 (a-2) The sheriff of Cook County shall disclose to the
16 following the name, address, date of birth, place of
17 employment, school attended, and offense or adjudication of
18 all sex offenders required to register under Section 3 of the
19 Sex Offender Registration Act:

20 (1) School boards of public school districts and
21 the principal or other appropriate administrative officer
22 of each nonpublic school located within the region of
23 Cook County, as those public school districts and
24 nonpublic schools are identified in LEADS, other than the
25 City of Chicago, where the sex offender is required to
26 register or is employed; and

27 (2) Child care facilities located within the region
28 of Cook County, as those child care facilities are
29 identified in LEADS, other than the City of Chicago,
30 where the sex offender is required to register or is
31 employed; and

32 (3) The boards of institutions of higher education
33 or other appropriate administrative offices of each
34 non-public institution of higher education located in the

1 county, other than the City of Chicago, where the sex
2 offender is required to register, resides, is employed,
3 or attending an institution of higher education.

4 (a-3) The Chicago Police Department shall disclose to
5 the following the name, address, date of birth, place of
6 employment, school attended, and offense or adjudication of
7 all sex offenders required to register under Section 3 of the
8 Sex Offender Registration Act:

9 (1) School boards of public school districts and
10 the principal or other appropriate administrative officer
11 of each nonpublic school located in the police district
12 where the sex offender is required to register or is
13 employed if the offender is required to register or is
14 employed in the City of Chicago; and

15 (2) Child care facilities located in the police
16 district where the sex offender is required to register
17 or is employed if the offender is required to register or
18 is employed in the City of Chicago; and

19 (3) The boards of institutions of higher education
20 or other appropriate administrative offices of each
21 non-public institution of higher education located in the
22 police district where the sex offender is required to
23 register, resides, is employed, or attending an
24 institution of higher education in the City of Chicago.

25 (a-4) The Department of State Police shall provide a
26 list of sex offenders required to register to the Illinois
27 Department of Children and Family Services.

28 (b) The Department of State Police and any law
29 enforcement agency may disclose, in the Department's or
30 agency's discretion, the following information to any person
31 likely to encounter a sex offender, or sexual predator
32 ~~required-to-register-under-Section--3--of--the--Sex--Offender~~
33 ~~Registration-Act:~~

34 (1) The offender's name, address, and date of

1 birth.

2 (2) The offense for which the offender was
3 convicted.

4 (3) Adjudication as a sexually dangerous person.

5 (4) The offender's photograph or other such
6 information that will help identify the sex offender.

7 (5) Offender employment information, to protect
8 public safety.

9 (c) The name, address, date of birth, and offense or
10 adjudication for sex offenders required to register under
11 Section 3 of the Sex Offender Registration Act shall be open
12 to inspection by the public as provided in this Section.
13 Every municipal police department shall make available at its
14 headquarters the information on all sex offenders who are
15 required to register in the municipality under the Sex
16 Offender Registration Act. The sheriff shall also make
17 available at his or her headquarters the information on all
18 sex offenders who are required to register under that Act and
19 who live in unincorporated areas of the county. Sex offender
20 information must be made available for public inspection to
21 any person, no later than 72 hours or 3 business days from
22 the date of the request. The request must be made in person,
23 in writing, or by telephone. Availability must include giving
24 the inquirer access to a facility where the information may
25 be copied. A department or sheriff may charge a fee, but the
26 fee may not exceed the actual costs of copying the
27 information. An inquirer must be allowed to copy this
28 information in his or her own handwriting. A department or
29 sheriff must allow access to the information during normal
30 public working hours. The sheriff or a municipal police
31 department may publish the photographs of sex offenders where
32 any victim was 13 years of age or younger and who are
33 required to register in the municipality or county under the
34 Sex Offender Registration Act in a newspaper or magazine of

1 general circulation in the municipality or county or may
2 disseminate the photographs of those sex offenders on the
3 Internet or on television. The law enforcement agency may
4 make available the information on all sex offenders residing
5 within any county.

6 (d) The Department of State Police and any law
7 enforcement agency having jurisdiction may, in the
8 Department's or agency's discretion, place the information
9 specified in subsection (b) on the Internet or in other
10 media.

11 (e) The Department of State Police and any law
12 enforcement agency having jurisdiction may, in the
13 Department's or agency's discretion, only provide the
14 information specified in subsection (b), with respect to an
15 adjudicated juvenile delinquent a-jvenile-sex-offender, to
16 any person when that person's safety may be compromised for
17 some reason related to the juvenile sex offender.

18 (Source: P.A. 91-48, eff. 7-1-99; 91-221, eff. 7-22-99;
19 91-224, eff. 7-1-00; 91-357, eff. 7-29-99; 91-394, eff.
20 1-1-00; 92-16, 6-28-01.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.