



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/09/04, by Patricia Bailey

SYNOPSIS AS INTRODUCED:

730 ILCS 150/2	from Ch. 38, par. 222
730 ILCS 150/3	from Ch. 38, par. 223
730 ILCS 150/7	from Ch. 38, par. 227
730 ILCS 150/8	from Ch. 38, par. 228
730 ILCS 150/8-5	
730 ILCS 150/11	
730 ILCS 152/105	
730 ILCS 152/115	

Amends the Sex Offender Registration Act. Eliminates from the definition Section that "convicted" shall have the same meaning as "adjudicated". Provides that a sex offender or sexual predator must include in his or her registration an institution of higher education attended or in which he or she is employed and must register with the appropriate municipal police department or county sheriff. Provides that reconfinement due to a violation of parole or other circumstances that relates to the original conviction or adjudication shall extend the period of registration to 10 years after final parole, discharge, or release. Provides that 50% of the moneys in the Sex Offender Registration Fund shall be allocated to the Illinois State Police Sex Offender Registration Unit for education and administration of the Act. Amends the Sex Offender and Child Murderer Community Notification Law. Deletes provision that the Department of State Police may limit access to the sex offender information to information about sex offenders who reside within a specified geographic area in proximity to the address of the person seeking that information. Provides that the Department of State Police, Sex Offender Registration Unit, must develop and conduct training to educate all those entities involved in the Sex Offender Registration Program. Effective immediately.

LRB093 15985 RLC 41609 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning sex offenders.

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

4 Section 5. The Sex Offender Registration Act is amended by
5 changing Sections 2, 3, 7, 8, 8-5, and 11 as follows:

6 (730 ILCS 150/2) (from Ch. 38, par. 222)

7 Sec. 2. Definitions.

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

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

15 (a) is convicted of such offense or an attempt to
16 commit such offense; or

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

19 (c) is found not guilty by reason of insanity
20 pursuant to Section 104-25(c) of the Code of Criminal
21 Procedure of 1963 of such offense or an attempt to
22 commit such offense; or

23 (d) is the subject of a finding not resulting in an
24 acquittal at a hearing conducted pursuant to Section
25 104-25(a) of the Code of Criminal Procedure of 1963 for
26 the alleged commission or attempted commission of such
27 offense; or

28 (e) is found not guilty by reason of insanity
29 following a hearing conducted pursuant to a federal,
30 Uniform Code of Military Justice, sister state, or
31 foreign country law substantially similar to Section
32 104-25(c) of the Code of Criminal Procedure of 1963 of

1 such offense or of the attempted commission of such
2 offense; or

3 (f) is the subject of a finding not resulting in an
4 acquittal at a hearing conducted pursuant to a federal,
5 Uniform Code of Military Justice, sister state, or
6 foreign country law substantially similar to Section
7 104-25(a) of the Code of Criminal Procedure of 1963 for
8 the alleged violation or attempted commission of such
9 offense; or

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

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

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

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

34 Convictions that result from or are connected with the same
35 act, or result from offenses committed at the same time, shall
36 be counted for the purpose of this Article as one conviction.

1 Any conviction set aside pursuant to law is not a conviction
2 for purposes of this Article.

3 ~~For purposes of this Section, "convicted" shall have the~~
4 ~~same meaning as "adjudicated".~~

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

6 (1) A violation of any of the following Sections of the
7 Criminal Code of 1961:

8 11-20.1 (child pornography),

9 11-6 (indecent solicitation of a child),

10 11-9.1 (sexual exploitation of a child),

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

12 11-18.1 (patronizing a juvenile prostitute),

13 11-17.1 (keeping a place of juvenile
14 prostitution),

15 11-19.1 (juvenile pimping),

16 11-19.2 (exploitation of a child),

17 12-13 (criminal sexual assault),

18 12-14 (aggravated criminal sexual assault),

19 12-14.1 (predatory criminal sexual assault of a
20 child),

21 12-15 (criminal sexual abuse),

22 12-16 (aggravated criminal sexual abuse),

23 12-33 (ritualized abuse of a child).

24 An attempt to commit any of these offenses.

25 (1.5) A violation of any of the following Sections of
26 the Criminal Code of 1961, when the victim is a person
27 under 18 years of age, the defendant is not a parent of the
28 victim, and the offense was committed on or after January
29 1, 1996:

30 10-1 (kidnapping),

31 10-2 (aggravated kidnapping),

32 10-3 (unlawful restraint),

33 10-3.1 (aggravated unlawful restraint).

34 An attempt to commit any of these offenses.

35 (1.6) First degree murder under Section 9-1 of the
36 Criminal Code of 1961, when the victim was a person under

1 18 years of age, the defendant was at least 17 years of age
2 at the time of the commission of the offense, and the
3 offense was committed on or after June 1, 1996.

4 (1.7) (Blank).

5 (1.8) A violation or attempted violation of Section
6 11-11 (sexual relations within families) of the Criminal
7 Code of 1961, and the offense was committed on or after
8 June 1, 1997.

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

16 (1.10) A violation or attempted violation of any of the
17 following Sections of the Criminal Code of 1961 when the
18 offense was committed on or after July 1, 1999:

19 10-4 (forcible detention, if the victim is under 18
20 years of age),

21 11-6.5 (indecent solicitation of an adult),

22 11-15 (soliciting for a prostitute, if the victim
23 is under 18 years of age),

24 11-16 (pandering, if the victim is under 18 years
25 of age),

26 11-18 (patronizing a prostitute, if the victim is
27 under 18 years of age),

28 11-19 (pimping, if the victim is under 18 years of
29 age).

30 (1.11) A violation or attempted violation of any of the
31 following Sections of the Criminal Code of 1961 when the
32 offense was committed on or after the effective date of
33 this amendatory Act of the 92nd General Assembly:

34 11-9 (public indecency for a third or subsequent
35 conviction),

36 11-9.2 (custodial sexual misconduct).

1 (1.12) A violation or attempted violation of Section
2 5.1 of the Wrongs to Children Act (permitting sexual abuse)
3 when the offense was committed on or after the effective
4 date of this amendatory Act of the 92nd General Assembly.

5 (2) A violation of any former law of this State
6 substantially equivalent to any offense listed in
7 subsection (B) of this Section.

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

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

30 (D) As used in this Article, "law enforcement agency having
31 jurisdiction" means the Chief of Police in each of the
32 municipalities in which the sex offender expects to reside,
33 work, or attend school (1) upon his or her discharge, parole or
34 release or (2) during the service of his or her sentence of
35 probation or conditional discharge, or the Sheriff of the
36 county, in the event no Police Chief exists or if the offender

1 intends to reside, work, or attend school in an unincorporated
2 area. "Law enforcement agency having jurisdiction" includes
3 the location where out-of-state students attend school and
4 where out-of-state employees are employed or are otherwise
5 required to register.

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

8 (1) Convicted for an offense of federal, Uniform Code
9 of Military Justice, sister state, or foreign country law
10 that is substantially equivalent to any offense listed in
11 subsection (E) of this Section shall constitute a
12 conviction for the purpose of this Article. Convicted of a
13 violation or attempted violation of any of the following
14 Sections of the Criminal Code of 1961, if the conviction
15 occurred after July 1, 1999:

16 11-17.1 (keeping a place of juvenile
17 prostitution),

18 11-19.1 (juvenile pimping),

19 11-19.2 (exploitation of a child),

20 11-20.1 (child pornography),

21 12-13 (criminal sexual assault, if the victim is a
22 person under 12 years of age),

23 12-14 (aggravated criminal sexual assault),

24 12-14.1 (predatory criminal sexual assault of a
25 child),

26 12-16 (aggravated criminal sexual abuse),

27 12-33 (ritualized abuse of a child); or

28 (2) convicted of first degree murder under Section 9-1
29 of the Criminal Code of 1961, when the victim was a person
30 under 18 years of age and the defendant was at least 17
31 years of age at the time of the commission of the offense;
32 or

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

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

5 (5) convicted of a second or subsequent offense which
6 requires registration pursuant to this Act. The conviction
7 for the second or subsequent offense must have occurred
8 after July 1, 1999. For purposes of this paragraph (5),
9 "convicted" shall include a conviction under any
10 substantially similar Illinois, federal, Uniform Code of
11 Military Justice, sister state, or foreign country law.

12 (F) As used in this Article, "out-of-state student" means
13 any sex offender, as defined in this Section, or sexual
14 predator who is enrolled in Illinois, on a full-time or
15 part-time basis, in any public or private educational
16 institution, including, but not limited to, any secondary
17 school, trade or professional institution, or institution of
18 higher learning.

19 (G) As used in this Article, "out-of-state employee" means
20 any sex offender, as defined in this Section, or sexual
21 predator who works in Illinois, regardless of whether the
22 individual receives payment for services performed, for a
23 period of time of 10 or more days or for an aggregate period of
24 time of 30 or more days during any calendar year. Persons who
25 operate motor vehicles in the State accrue one day of
26 employment time for any portion of a day spent in Illinois.

27 (Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

28 (730 ILCS 150/3) (from Ch. 38, par. 223)

29 Sec. 3. Duty to register.

30 (a) A sex offender, as defined in Section 2 of this Act, or
31 sexual predator shall, within the time period prescribed in
32 subsections (b) and (c), register in person and provide
33 accurate information as required by the Department of State
34 Police. Such information shall include current address,
35 current place of employment, ~~and~~ school, and institution of

1 higher education attended. The sex offender or sexual predator
2 shall register:

3 (1) with the chief of police in ~~each of~~ the
4 municipality ~~municipalities~~ in which he or she ~~attends~~
5 ~~school, is employed,~~ resides or is temporarily domiciled
6 for a period of time of 10 or more days, unless the
7 municipality is the City of Chicago, in which case he or
8 she shall register at the Chicago Police Department
9 Headquarters; or

10 (2) with the sheriff in ~~each of~~ the county ~~counties~~ in
11 which he or she ~~attends school, is employed,~~ resides or is
12 temporarily domiciled in an unincorporated area for a
13 period of time of 10 or more days or, if incorporated, no
14 police chief exists;~~;~~

15 (3) with the chief of police in the municipality in
16 which he or she attends or is employed at an institution of
17 higher education, unless the municipality is the City of
18 Chicago, in which case he or she shall register at the
19 Chicago Police Department Headquarters; or

20 (4) with the sheriff in the county in which he or she
21 attends or is employed at an institution of higher
22 education located in an unincorporated area, or if
23 incorporated, no police chief exists.

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 10 or
27 more days during any calendar year.

28 The sex offender or sexual predator shall provide accurate
29 information as required by the Department of State Police. That
30 information shall include the sex offender's or sexual
31 predator's current place of employment.

32 (a-5) An out-of-state student or out-of-state employee
33 shall, within 10 days after beginning school or employment in
34 this State, register in person and provide accurate information
35 as required by the Department of State Police. Such information
36 will include current place of employment, school, institution

1 of higher education attended, and address in state of
2 residence. The out-of-state student or out-of-state employee
3 shall register:

4 (1) with the chief of police in ~~each~~ of the
5 municipality ~~municipalities~~ in which he or she attends
6 school or is employed for a period of time of 10 or more
7 days or for an aggregate period of time of more than 30
8 days during any calendar year, unless the municipality is
9 the City of Chicago, in which case he or she shall register
10 at the Chicago Police Department Headquarters; or

11 (2) with the sheriff in ~~each~~ of the county ~~counties~~ in
12 which he or she attends school or is employed for a period
13 of time of 10 or more days or for an aggregate period of
14 time of more than 30 days during any calendar year in an
15 unincorporated area or, if incorporated, no police chief
16 exists;:-

17 (3) with the chief of police in the municipality in
18 which he or she attends or is employed at 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 (4) with the sheriff in the county in which he or she
23 attends or is employed at an institution of higher
24 education located in an unincorporated area or, if
25 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 out-of-state
29 student's current place of school attendance, attendance at an
30 institution of higher education, or the out-of-state
31 employee's current place of employment.

32 (b) Any sex offender, as defined in Section 2 of this Act,
33 or sexual predator, regardless of any initial, prior, or other
34 registration, shall, within 10 days of beginning school,
35 institution of higher education, ~~or~~ establishing a residence,
36 place of employment, or temporary domicile in any county,

1 register in person as set forth in subsection (a) or (a-5).

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

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

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

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

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

29 (4) Any person unable to comply with the registration
30 requirements of this Article because he or she is confined,
31 institutionalized, or imprisoned in Illinois on or after
32 January 1, 1996, shall register in person within 10 days of
33 discharge, parole or release.

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

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

22 (d) Within 10 days after obtaining or changing employment
23 and, if employed on January 1, 2000, within 10 days after that
24 date, a person required to register under this Section must
25 report, in person or in writing to the law enforcement agency
26 having jurisdiction, the business name and address where he or
27 she is employed. If the person has multiple businesses or work
28 locations, every business and work location must be reported to
29 the law enforcement agency having jurisdiction.

30 (Source: P.A. 92-828, eff. 8-22-02; 93-616, eff. 1-1-04.)

31 (730 ILCS 150/7) (from Ch. 38, par. 227)

32 Sec. 7. Duration of registration. A person who has been
33 adjudicated to be sexually dangerous and is later released or
34 found to be no longer sexually dangerous and discharged, shall
35 register for the period of his or her natural life. A sexually

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

34 (Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

1 Sec. 8. Registration Requirements. Registration as
2 required by this Article shall consist of a statement in
3 writing signed by the person giving the information that is
4 required by the Department of State Police, which may include
5 the fingerprints and must include a current photograph of the
6 person. The registration information must include whether the
7 person is a sex offender as defined in the Sex Offender and
8 Child Murderer Community Notification Law. Within 3 days, the
9 registering law enforcement agency shall forward any required
10 information to the Department of State Police. The registering
11 law enforcement agency shall enter the information into the Law
12 Enforcement Agencies Data System (LEADS) as provided in
13 Sections 6 and 7 of the Intergovernmental Missing Child
14 Recovery Act of 1984.

15 (Source: P.A. 90-193, eff. 7-24-97; 91-224, eff. 7-1-00.)

16 (730 ILCS 150/8-5)

17 Sec. 8-5. Address verification requirements. The agency
18 having jurisdiction shall verify the address of sex offenders,
19 as defined in Section 2 of this Act, or sexual predators
20 required to register with their agency at least once per
21 ~~calendar~~ year. The verification must be documented in LEADS in
22 the form and manner required by the Department of State Police.

23 (Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

24 (730 ILCS 150/11)

25 Sec. 11. Sex offender registration fund. There is created
26 the Sex Offender Registration Fund. Moneys in the Fund shall be
27 used to cover costs incurred by the criminal justice system to
28 administer this Article. The Department of State Police shall
29 establish and promulgate rules and procedures regarding the
30 administration of this Fund. Fifty percent ~~At least 50%~~ of the
31 moneys in the Fund shall be allocated by the Department for
32 sheriffs' offices and police departments. The remaining moneys
33 in the Fund shall be allocated to the Illinois State Police Sex
34 Offender Registration Unit for education and administration of

1 the Act.

2 (Source: P.A. 90-193, eff. 7-24-97.)

3 Section 10. The Sex Offender and Child Murderer Community
4 Notification Law is amended by changing Sections 105 and 115 as
5 follows:

6 (730 ILCS 152/105)

7 Sec. 105. Definitions. As used in this Article, the
8 following definitions apply:

9 "Child care facilities" has the meaning set forth in the
10 Child Care Act of 1969, but does not include licensed foster
11 homes.

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

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

34 "Sex offender" also means any sex offender as defined in

1 the Sex Offender Registration Act whose offense or adjudication
2 as a sexually dangerous person occurred before June 1, 1996,
3 and whose victim was under the age of 18 at the time the
4 offense was committed but does not include the offenses set
5 forth in subsection (b)(1.5) of Section 2 of that Act; and any
6 sex offender as defined in the Sex Offender Registration Act
7 whose offense or adjudication as a sexually dangerous person
8 occurred before June 1, 1997, and whose victim was 18 years of
9 age or older at the time the offense was committed but does not
10 include the offenses set forth in subsection (b)(1.5) of
11 Section 2 of that Act.

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

21 (Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

22 (730 ILCS 152/115)

23 Sec. 115. Sex offender database.

24 (a) The Department of State Police shall establish and
25 maintain a Statewide Sex Offender Database for the purpose of
26 identifying sex offenders and making that information
27 available to the persons specified in Sections 120 and 125 of
28 this Law. The Database shall be created from the Law
29 Enforcement Agencies Data System (LEADS) established under
30 Section 6 of the Intergovernmental Missing Child Recovery Act
31 of 1984. The Department of State Police shall examine its LEADS
32 database for persons registered as sex offenders under the Sex
33 Offender Registration Act and shall identify those who are sex
34 offenders and shall add all the information, including
35 photographs if available, on those sex offenders to the

1 Statewide Sex Offender Database.

2 (b) The Department of State Police must make the
3 information contained in the Statewide Sex Offender Database
4 accessible on the Internet by means of a hyperlink labeled "Sex
5 Offender Information" on the Department's World Wide Web home
6 page. The Department of State Police must update that
7 information as it deems necessary.

8 The Department of State Police may require that a person
9 who seeks access to the sex offender information submit
10 biographical information about himself or herself before
11 permitting access to the sex offender information. ~~The~~
12 ~~Department of State Police may limit access to the sex offender~~
13 ~~information to information about sex offenders who reside~~
14 ~~within a specified geographic area in proximity to the address~~
15 ~~of the person seeking that information.~~ The Department of State
16 Police must promulgate rules in accordance with the Illinois
17 Administrative Procedure Act to implement this subsection (b)
18 and those rules must include procedures to ensure that the
19 information in the database is accurate.

20 (c) The Department of State Police, Sex Offender
21 Registration Unit, must develop and conduct training to educate
22 all those entities involved in the Sex Offender Registration
23 Program.

24 (Source: P.A. 90-193, eff. 7-24-97; 91-224, eff. 7-1-00.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.