

1 AN ACT concerning criminal law.

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

4 Section 5. The Sex Offender Management Board Act is amended
5 by changing Section 19 as follows:

6 (20 ILCS 4026/19)

7 Sec. 19. Sex Offender Management Board Fund.

8 (a) Any and all practices endorsed or required under this
9 Act, including but not limited to evaluation, treatment, or
10 monitoring of programs that are or may be developed by the
11 agency providing supervision or the Department of
12 Corrections, ~~or the Department of Human Services~~ shall be at
13 the expense of the person evaluated or treated, based upon the
14 person's ability to pay. If it is determined by the agency
15 providing supervision or the Department of Corrections, ~~or the~~
16 ~~Department of Human Services~~ that the person does not have the
17 ability to pay for practices endorsed or required by this Act,
18 the agency providing supervision of the sex offender shall
19 request reimbursement for services required under this Act for
20 which the agency has provided funding. The ~~Sex Offender~~
21 ~~Management Board shall provide~~ the agency providing
22 supervision or the Department of Corrections shall develop, ~~or~~
23 ~~the Department of Human Services with~~ factors to be considered
24 and criteria to determine a person's ability to pay. The Sex
25 Offender Management Board shall coordinate the expenditures of
26 moneys from the Sex Offender Management Board Fund ~~with any~~
27 ~~money expended by counties, the Department of Corrections or~~
28 ~~the Department of Human Services~~. The Board shall allocate
29 ~~develop a plan for the allocation of~~ moneys deposited in this
30 Fund among the agency providing supervision or the Department
31 of Corrections, ~~or the Department of Human Services~~.

32 (b) Up to 20% of this Fund shall be retained by the Sex

1 Offender Management Board for administrative costs, including
2 staff, incurred pursuant to this Act.

3 (c) Monies expended for this Fund shall be used to
4 supplement, not replace offenders' self-pay, or county
5 appropriations for probation and court services.

6 (d) Interest earned on monies deposited in this Fund may be
7 used by the Board for its administrative costs and expenses.

8 (e) In addition to the funds provided by the sex offender,
9 counties, or Departments providing treatment, the Board shall
10 explore funding sources including but not limited to State,
11 federal, and private funds.

12 (Source: P.A. 93-616, eff. 1-1-04.)