

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 Section 3 as follows:

6 (730 ILCS 150/3) (from Ch. 38, par. 223)

7 Sec. 3. Duty to register.

8 (a) A sex offender, as defined in Section 2 of this Act, or
9 sexual predator shall, within the time period prescribed in
10 subsections (b) and (c), register in person and provide
11 accurate information as required by the Department of State
12 Police. Such information shall include a current photograph,
13 current address, current place of employment, the employer's
14 telephone number, school attended, extensions of the time
15 period for registering as provided in this Article and, if an
16 extension was granted, the reason why the extension was granted
17 and the date the sex offender was notified of the extension.
18 The information shall also include the county of conviction,
19 license plate numbers for every vehicle registered in the name
20 of the sex offender, the age of the sex offender at the time of
21 the commission of the offense, the age of the victim at the
22 time of the commission of the offense, and any distinguishing
23 marks located on the body of the sex offender. A person who has
24 been adjudicated a juvenile delinquent for an act which, if
25 committed by an adult, would be a sex offense shall register as
26 an adult sex offender within 10 days after attaining 17 years
27 of age. The sex offender or sexual predator shall register:

28 (1) with the chief of police in the municipality in
29 which he or she resides or is temporarily domiciled for a
30 period of time of 5 or more days, unless the municipality
31 is the City of Chicago, in which case he or she shall
32 register at the Chicago Police Department Headquarters; or

1 (2) with the sheriff in the county in which he or she
2 resides or is temporarily domiciled for a period of time of
3 5 or more days in an unincorporated area or, if
4 incorporated, no police chief exists.

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

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

13 (ii) with the sheriff in the county in which he or she
14 is employed or attends an institution of higher education
15 located in an unincorporated area, or if incorporated, no
16 police chief exists.

17 For purposes of this Article, the place of residence or
18 temporary domicile is defined as any and all places where the
19 sex offender resides for an aggregate period of time of 5 or
20 more days during any calendar year. Any person required to
21 register under this Article who lacks a fixed address or
22 temporary domicile must notify, in person, the agency of
23 jurisdiction of his or her last known address within 5 days
24 after ceasing to have a fixed residence.

25 Any person who lacks a fixed residence must report weekly,
26 in person, with the sheriff's office of the county in which he
27 or she is located in an unincorporated area, or with the chief
28 of police in the municipality in which he or she is located.
29 The agency of jurisdiction will document each weekly
30 registration to include all the locations where the person has
31 stayed during the past 7 days.

32 The sex offender or sexual predator shall provide accurate
33 information as required by the Department of State Police. That
34 information shall include the sex offender's or sexual
35 predator's current place of employment.

36 (a-5) An out-of-state student or out-of-state employee

1 shall, within 5 days after beginning school or employment in
2 this State, register in person and provide accurate information
3 as required by the Department of State Police. Such information
4 will include current place of employment, school attended, and
5 address in state of residence. The out-of-state student or
6 out-of-state employee shall register:

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

14 (2) with the sheriff in the county in which he or she
15 attends school or is employed for a period of time of 5 or
16 more days or for an aggregate period of time of more than
17 30 days during any calendar year in an unincorporated area
18 or, if incorporated, no police chief exists.

19 The out-of-state student or out-of-state employee shall
20 provide accurate information as required by the Department of
21 State Police. That information shall include the out-of-state
22 student's current place of school attendance or the
23 out-of-state employee's current place of employment.

24 (b) Any sex offender, as defined in Section 2 of this Act,
25 or sexual predator, regardless of any initial, prior, or other
26 registration, shall, within 5 days of beginning school, or
27 establishing a residence, place of employment, or temporary
28 domicile in any county, register in person as set forth in
29 subsection (a) or (a-5).

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

32 (1) Any person registered under the Habitual Child Sex
33 Offender Registration Act or the Child Sex Offender
34 Registration Act prior to January 1, 1996, shall be deemed
35 initially registered as of January 1, 1996; however, this
36 shall not be construed to extend the duration of

1 registration set forth in Section 7.

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

6 (2.5) Except as provided in subsection (c) (4), any
7 person who has not been notified of his or her
8 responsibility to register shall be notified by a criminal
9 justice entity of his or her responsibility to register.
10 Upon notification the person must then register within 5
11 days of notification of his or her requirement to register.
12 If notification is not made within the offender's 10 year
13 registration requirement, and the Department of State
14 Police determines no evidence exists or indicates the
15 offender attempted to avoid registration, the offender
16 will no longer be required to register under this Act.

17 (3) Except as provided in subsection (c) (4), any person
18 convicted on or after January 1, 1996, shall register in
19 person within 5 days after the entry of the sentencing
20 order based upon his or her conviction.

21 (4) Any person unable to comply with the registration
22 requirements of this Article because he or she is confined,
23 institutionalized, or imprisoned in Illinois on or after
24 January 1, 1996, shall register in person within 5 days of
25 discharge, parole or release.

26 (5) The person shall provide positive identification
27 and documentation that substantiates proof of residence at
28 the registering address.

29 (6) The person shall pay a \$20 initial registration fee
30 and a \$10 annual renewal fee. The fees shall be used by the
31 registering agency for official purposes. The agency shall
32 establish procedures to document receipt and use of the
33 funds. The law enforcement agency having jurisdiction may
34 waive the registration fee if it determines that the person
35 is indigent and unable to pay the registration fee. Ten
36 dollars for the initial registration fee and \$5 of the

1 annual renewal fee shall be used by the registering agency
2 for official purposes. Ten dollars of the initial
3 registration fee and \$5 of the annual fee shall be
4 deposited into the Sex Offender Management Board Fund under
5 Section 19 of the Sex Offender Management Board Act. Money
6 deposited into the Sex Offender Management Board Fund shall
7 be administered by the Sex Offender Management Board and
8 shall be used to fund practices endorsed or required by the
9 Sex Offender Management Board Act including but not limited
10 to sex offenders evaluation, treatment, or monitoring
11 programs that are or may be developed, as well as for
12 administrative costs, including staff, incurred by the
13 Board.

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

22 (Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04;
23 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; revised 8-19-05.)

24 Section 10. The Sex Offender and Child Murderer Community
25 Notification Law is amended by changing Sections 115 and 120 as
26 follows:

27 (730 ILCS 152/115)

28 Sec. 115. Sex offender database.

29 (a) The Department of State Police shall establish and
30 maintain a Statewide Sex Offender Database for the purpose of
31 identifying sex offenders and making that information
32 available to the persons specified in Sections 120 and 125 of
33 this Law. The Database shall be created from the Law
34 Enforcement Agencies Data System (LEADS) established under

1 Section 6 of the Intergovernmental Missing Child Recovery Act
2 of 1984. The Department of State Police shall examine its LEADS
3 database for persons registered as sex offenders under the Sex
4 Offender Registration Act and shall identify those who are sex
5 offenders and shall add all the information, including
6 photographs if available, on those sex offenders to the
7 Statewide Sex Offender Database.

8 (b) The Department of State Police must make the
9 information contained in the Statewide Sex Offender Database
10 accessible on the Internet by means of a hyperlink labeled "Sex
11 Offender Information" on the Department's World Wide Web home
12 page. The Department must make the information contained in the
13 Statewide Sex Offender Database searchable via a mapping system
14 which identifies registered sex offenders living within 5 miles
15 of an identified address. The Department of State Police must
16 update that information as it deems necessary.

17 The Department of State Police may require that a person
18 who seeks access to the sex offender information submit
19 biographical information about himself or herself before
20 permitting access to the sex offender information. The
21 Department of State Police must promulgate rules in accordance
22 with the Illinois Administrative Procedure Act to implement
23 this subsection (b) and those rules must include procedures to
24 ensure that the information in the database is accurate.

25 (c) The Department of State Police, Sex Offender
26 Registration Unit, must develop and conduct training to educate
27 all those entities involved in the Sex Offender Registration
28 Program.

29 (Source: P.A. 93-979, eff. 8-20-04.)

30 (730 ILCS 152/120)

31 Sec. 120. Community notification of sex offenders.

32 (a) The sheriff of the county, except Cook County, shall
33 disclose to the following the name, address, date of birth,
34 place of employment, school attended, and offense or
35 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 or
3 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; and

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

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

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

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

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

30 (3) The boards of institutions of higher education or
31 other appropriate administrative offices of each
32 non-public institution of higher education located in the
33 county, other than the City of Chicago, where the sex
34 offender is required to register, resides, is employed, or
35 attending an institution of higher education.

36 (a-3) The Chicago Police Department shall disclose to the

1 following the name, address, date of birth, place of
2 employment, school attended, and offense or adjudication of all
3 sex offenders required to register under Section 3 of the Sex
4 Offender Registration Act:

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

11 (2) Child care facilities located in the police
12 district where the sex offender is required to register or
13 is employed if the offender is required to register or is
14 employed in the City of Chicago; and

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

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

24 (b) The Department of State Police and any law enforcement
25 agency may disclose, in the Department's or agency's
26 discretion, the following information to any person likely to
27 encounter a sex offender, or sexual predator:

28 (1) The offender's name, address, and date of birth.

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

30 (3) Adjudication as a sexually dangerous person.

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

33 (5) Offender employment information, to protect public
34 safety.

35 (c) The name, address, date of birth, ~~and~~ offense or
36 adjudication, the county of conviction, license plate numbers

1 for every vehicle registered in the name of the sex offender,
2 the age of the sex offender at the time of the commission of
3 the offense, the age of the victim at the time of the
4 commission of the offense, and any distinguishing marks located
5 on the body of the sex offender for sex offenders required to
6 register under Section 3 of the Sex Offender Registration Act
7 shall be open to inspection by the public as provided in this
8 Section. Every municipal police department shall make
9 available at its headquarters the information on all sex
10 offenders who are required to register in the municipality
11 under the Sex Offender Registration Act. The sheriff shall also
12 make available at his or her headquarters the information on
13 all sex offenders who are required to register under that Act
14 and who live in unincorporated areas of the county. Sex
15 offender information must be made available for public
16 inspection to any person, no later than 72 hours or 3 business
17 days from the date of the request. The request must be made in
18 person, in writing, or by telephone. Availability must include
19 giving the inquirer access to a facility where the information
20 may be copied. A department or sheriff may charge a fee, but
21 the fee may not exceed the actual costs of copying the
22 information. An inquirer must be allowed to copy this
23 information in his or her own handwriting. A department or
24 sheriff must allow access to the information during normal
25 public working hours. The sheriff or a municipal police
26 department may publish the photographs of sex offenders where
27 any victim was 13 years of age or younger and who are required
28 to register in the municipality or county under the Sex
29 Offender Registration Act in a newspaper or magazine of general
30 circulation in the municipality or county or may disseminate
31 the photographs of those sex offenders on the Internet or on
32 television. The law enforcement agency may make available the
33 information on all sex offenders residing within any county.

34 (d) The Department of State Police and any law enforcement
35 agency having jurisdiction may, in the Department's or agency's
36 discretion, place the information specified in subsection (b)

1 on the Internet or in other media.

2 (e) (Blank).

3 (f) The administrator of a transitional housing facility
4 for sex offenders shall comply with the notification procedures
5 established in paragraph (4) of subsection (b) of Section
6 3-17-5 of the Unified Code of Corrections.

7 (g) A principal or teacher of a public or private
8 elementary or secondary school shall notify the parents of
9 children attending the school during school registration or
10 during parent-teacher conferences that information about sex
11 offenders is available to the public as provided in this Act.

12 (Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06;
13 revised 8-19-05.)