



Rep. Patrick J. Verschoore

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LRB096 21096 RLC 39283 a

1 AMENDMENT TO HOUSE BILL 6464

2 AMENDMENT NO. _____. Amend House Bill 6464 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by adding
5 Section 12-21.6-5 as follows:

6 (720 ILCS 5/12-21.6-5 new)

7 Sec. 12-21.6-5. Parent or guardian leaving custody or
8 control of child with child sex offender.

9 (a) For the purposes of this Section, "minor" means a
10 person under 18 years of age; and "child sex offender" means a
11 sex offender who is registered under the Sex Offender
12 Registration Act and is a child sex offender as defined in
13 Sections 11-9.3 and 11-9.4 of this Code.

14 (b) It is unlawful for a parent or guardian of a minor to
15 knowingly leave that minor in the custody or control of a child
16 sex offender, or allow the child sex offender unsupervised

1 access to the minor.

2 (c) This Section does not apply to leaving the minor in the
3 custody or control of, or allowing unsupervised access to the
4 minor by:

5 (1) a child sex offender who is the parent of the
6 minor;

7 (2) a person convicted of a violation of subsection (c)
8 of Section 12-15 of this Code; or

9 (3) a child sex offender who is married to and living
10 in the same household with the parent or guardian of the
11 minor.

12 (d) Sentence. A person who violates this Section is guilty
13 of a Class A misdemeanor.

14 Section 10. The Sex Offender Registration Act is amended by
15 changing Sections 3 and 6 as follows:

16 (730 ILCS 150/3)

17 Sec. 3. Duty to register.

18 (a) A sex offender, as defined in Section 2 of this Act, or
19 sexual predator shall, within the time period prescribed in
20 subsections (b) and (c), register in person and provide
21 accurate information as required by the Department of State
22 Police. Such information shall include a current photograph,
23 current address, current place of employment, the employer's
24 telephone number, school attended, all e-mail addresses,

1 instant messaging identities, chat room identities, and other
2 Internet communications identities that the sex offender uses
3 or plans to use, all Uniform Resource Locators (URLs)
4 registered or used by the sex offender, all blogs and other
5 Internet sites maintained by the sex offender or to which the
6 sex offender has uploaded any content or posted any messages or
7 information, extensions of the time period for registering as
8 provided in this Article and, if an extension was granted, the
9 reason why the extension was granted and the date the sex
10 offender was notified of the extension. The information shall
11 also include the county of conviction, license plate numbers
12 for every vehicle registered in the name of the sex offender,
13 the age of the sex offender at the time of the commission of
14 the offense, the age of the victim at the time of the
15 commission of the offense, and any distinguishing marks located
16 on the body of the sex offender. A sex offender convicted under
17 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code
18 of 1961 shall provide all Internet protocol (IP) addresses in
19 his or her residence, registered in his or her name, accessible
20 at his or her place of employment, or otherwise under his or
21 her control or custody. If the sex offender is a child sex
22 offender as defined in Section 11-9.3 or 11-9.4 of the Criminal
23 Code of 1961, the sex offender shall report to the registering
24 agency whether he or she is living in a household with a child
25 under 18 years of age who is not his or her own child. The sex
26 offender or sexual predator shall register:

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

6 (2) with the sheriff in the county in which he or she
7 resides or is temporarily domiciled for a period of time of
8 5 or more days in an unincorporated area or, if
9 incorporated, no police chief exists.

10 If the sex offender or sexual predator is employed at or
11 attends an institution of higher education, he or she shall
12 register:

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

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

22 For purposes of this Article, the place of residence or
23 temporary domicile is defined as any and all places where the
24 sex offender resides for an aggregate period of time of 5 or
25 more days during any calendar year. Any person required to
26 register under this Article who lacks a fixed address or

1 temporary domicile must notify, in person, the agency of
2 jurisdiction of his or her last known address within 3 days
3 after ceasing to have a fixed residence.

4 Any person who lacks a fixed residence must report weekly,
5 in person, with the sheriff's office of the county in which he
6 or she is located in an unincorporated area, or with the chief
7 of police in the municipality in which he or she is located.
8 The agency of jurisdiction will document each weekly
9 registration to include all the locations where the person has
10 stayed during the past 7 days.

11 The sex offender or sexual predator shall provide accurate
12 information as required by the Department of State Police. That
13 information shall include the sex offender's or sexual
14 predator's current place of employment.

15 (a-5) An out-of-state student or out-of-state employee
16 shall, within 3 days after beginning school or employment in
17 this State, register in person and provide accurate information
18 as required by the Department of State Police. Such information
19 will include current place of employment, school attended, and
20 address in state of residence. A sex offender convicted under
21 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code
22 of 1961 shall provide all Internet protocol (IP) addresses in
23 his or her residence, registered in his or her name, accessible
24 at his or her place of employment, or otherwise under his or
25 her control or custody. The out-of-state student or
26 out-of-state employee shall register:

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

8 (2) with the sheriff in the county in which he or she
9 attends school or is employed for a period of time of 5 or
10 more days or for an aggregate period of time of more than
11 30 days during any calendar year in an unincorporated area
12 or, if incorporated, no police chief exists.

13 The out-of-state student or out-of-state employee shall
14 provide accurate information as required by the Department of
15 State Police. That information shall include the out-of-state
16 student's current place of school attendance or the
17 out-of-state employee's current place of employment.

18 (a-10) Any law enforcement agency registering sex
19 offenders or sexual predators in accordance with subsections
20 (a) or (a-5) of this Section shall forward to the Attorney
21 General a copy of sex offender registration forms from persons
22 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the
23 Criminal Code of 1961, including periodic and annual
24 registrations under Section 6 of this Act.

25 (b) Any sex offender, as defined in Section 2 of this Act,
26 or sexual predator, regardless of any initial, prior, or other

1 registration, shall, within 3 days of beginning school, or
2 establishing a residence, place of employment, or temporary
3 domicile in any county, register in person as set forth in
4 subsection (a) or (a-5).

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

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

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

17 (2.5) Except as provided in subsection (c) (4), any
18 person who has not been notified of his or her
19 responsibility to register shall be notified by a criminal
20 justice entity of his or her responsibility to register.
21 Upon notification the person must then register within 3
22 days of notification of his or her requirement to register.
23 If notification is not made within the offender's 10 year
24 registration requirement, and the Department of State
25 Police determines no evidence exists or indicates the
26 offender attempted to avoid registration, the offender

1 will no longer be required to register under this Act.

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

6 (4) Any person unable to comply with the registration
7 requirements of this Article because he or she is confined,
8 institutionalized, or imprisoned in Illinois on or after
9 January 1, 1996, shall register in person within 3 days of
10 discharge, parole or release.

11 (5) The person shall provide positive identification
12 and documentation that substantiates proof of residence at
13 the registering address.

14 (6) The person shall pay a \$20 initial registration fee
15 and a \$10 annual renewal fee. The fees shall be used by the
16 registering agency for official purposes. The agency shall
17 establish procedures to document receipt and use of the
18 funds. The law enforcement agency having jurisdiction may
19 waive the registration fee if it determines that the person
20 is indigent and unable to pay the registration fee. Ten
21 dollars for the initial registration fee and \$5 of the
22 annual renewal fee shall be used by the registering agency
23 for official purposes. Ten dollars of the initial
24 registration fee and \$5 of the annual fee shall be
25 deposited into the Sex Offender Management Board Fund under
26 Section 19 of the Sex Offender Management Board Act. Money

1 deposited into the Sex Offender Management Board Fund shall
2 be administered by the Sex Offender Management Board and
3 shall be used to fund practices endorsed or required by the
4 Sex Offender Management Board Act including but not limited
5 to sex offenders evaluation, treatment, or monitoring
6 programs that are or may be developed, as well as for
7 administrative costs, including staff, incurred by the
8 Board.

9 (d) Within 3 days after obtaining or changing employment
10 and, if employed on January 1, 2000, within 5 days after that
11 date, a person required to register under this Section must
12 report, in person to the law enforcement agency having
13 jurisdiction, the business name and address where he or she is
14 employed. If the person has multiple businesses or work
15 locations, every business and work location must be reported to
16 the law enforcement agency having jurisdiction.

17 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994,
18 eff. 1-1-07; 95-229, eff. 8-16-07; 95-579, eff. 6-1-08; 95-640,
19 eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff. 8-21-08.)

20 (730 ILCS 150/6) (from Ch. 38, par. 226)

21 Sec. 6. Duty to report; change of address, school, or
22 employment; duty to inform. A person who has been adjudicated
23 to be sexually dangerous or is a sexually violent person and is
24 later released, or found to be no longer sexually dangerous or
25 no longer a sexually violent person and discharged, or

1 convicted of a violation of this Act after July 1, 2005, shall
2 report in person to the law enforcement agency with whom he or
3 she last registered no later than 90 days after the date of his
4 or her last registration and every 90 days thereafter and at
5 such other times at the request of the law enforcement agency
6 not to exceed 4 times a year. Such sexually dangerous or
7 sexually violent person must report all new or changed e-mail
8 addresses, all new or changed instant messaging identities, all
9 new or changed chat room identities, and all other new or
10 changed Internet communications identities that the sexually
11 dangerous or sexually violent person uses or plans to use, all
12 new or changed Uniform Resource Locators (URLs) registered or
13 used by the sexually dangerous or sexually violent person, and
14 all new or changed blogs and other Internet sites maintained by
15 the sexually dangerous or sexually violent person or to which
16 the sexually dangerous or sexually violent person has uploaded
17 any content or posted any messages or information. Any person
18 who lacks a fixed residence must report weekly, in person, to
19 the appropriate law enforcement agency where the sex offender
20 is located. Any other person who is required to register under
21 this Article shall report in person to the appropriate law
22 enforcement agency with whom he or she last registered within
23 one year from the date of last registration and every year
24 thereafter and at such other times at the request of the law
25 enforcement agency not to exceed 4 times a year. If any person
26 required to register under this Article lacks a fixed residence

1 or temporary domicile, he or she must notify, in person, the
2 agency of jurisdiction of his or her last known address within
3 3 days after ceasing to have a fixed residence and if the
4 offender leaves the last jurisdiction of residence, he or she,
5 must within 3 days after leaving register in person with the
6 new agency of jurisdiction. If any other person required to
7 register under this Article changes his or her residence
8 address, place of employment, or school, he or she shall report
9 in person to the law enforcement agency with whom he or she
10 last registered of his or her new address, change in
11 employment, or school, all new or changed e-mail addresses, all
12 new or changed instant messaging identities, all new or changed
13 chat room identities, and all other new or changed Internet
14 communications identities that the sex offender uses or plans
15 to use, all new or changed Uniform Resource Locators (URLs)
16 registered or used by the sex offender, and all new or changed
17 blogs and other Internet sites maintained by the sex offender
18 or to which the sex offender has uploaded any content or posted
19 any messages or information, and register, in person, with the
20 appropriate law enforcement agency within the time period
21 specified in Section 3. If the sex offender is a child sex
22 offender as defined in Section 11-9.3 or 11-9.4 of the Criminal
23 Code of 1961, the sex offender shall within 3 days after
24 beginning to reside in a household with a child under 18 years
25 of age who is not his or her own child report that information
26 to the registering law enforcement agency. The law enforcement

1 agency shall, within 3 days of the reporting in person by the
2 person required to register under this Article, notify the
3 Department of State Police of the new place of residence,
4 change in employment, or school.

5 If any person required to register under this Article
6 intends to establish a residence or employment outside of the
7 State of Illinois, at least 10 days before establishing that
8 residence or employment, he or she shall report in person to
9 the law enforcement agency with which he or she last registered
10 of his or her out-of-state intended residence or employment.
11 The law enforcement agency with which such person last
12 registered shall, within 3 days after the reporting in person
13 of the person required to register under this Article of an
14 address or employment change, notify the Department of State
15 Police. The Department of State Police shall forward such
16 information to the out-of-state law enforcement agency having
17 jurisdiction in the form and manner prescribed by the
18 Department of State Police.

19 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 95-229,
20 eff. 8-16-07; 95-331, eff. 8-21-07; 95-640, eff. 6-1-08;
21 95-876, eff. 8-21-08.)".