



Sen. Iris Y. Martinez

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09600SB3084sam001

LRB096 18248 RLC 37898 a

1 AMENDMENT TO SENATE BILL 3084

2 AMENDMENT NO. _____. Amend Senate Bill 3084 on page 1,
3 line 5, by inserting "3-5," after "3,"; and

4 on page 18, by inserting immediately below line 20 the
5 following:

6 "(730 ILCS 150/3-5)

7 Sec. 3-5. Application of Act to adjudicated juvenile
8 delinquents.

9 (a) In all cases involving an adjudicated juvenile
10 delinquent who meets the definition of sex offender as set
11 forth in paragraph (5) of subsection (A) of Section 2 of this
12 Act, the court shall order the minor to register as a sex
13 offender.

14 (b) Once an adjudicated juvenile delinquent is ordered to
15 register as a sex offender, the adjudicated juvenile delinquent
16 shall be subject to the registration requirements set forth in

1 Sections 3, 6, 6-5, 8, 8-5, and 10 for the term of his or her
2 registration.

3 (c) For a minor adjudicated delinquent for an offense
4 which, if charged as an adult, would be a felony, no less than
5 5 years after registration ordered pursuant to subsection (a)
6 of this Section, the minor may petition for the termination of
7 the term of registration. For a minor adjudicated delinquent
8 for an offense which, if charged as an adult, would be a
9 misdemeanor, no less than 2 years after registration ordered
10 pursuant to subsection (a) of this Section, the minor may
11 petition for termination of the term of registration.

12 (d) The court may upon a hearing on the petition for
13 termination of registration, terminate registration if the
14 court finds that the registrant poses no risk to the community
15 by a preponderance of the evidence based upon the factors set
16 forth in subsection (e). Notwithstanding any other provisions
17 of this Act to the contrary, no registrant whose registration
18 has been terminated under this Section shall be required to
19 register under the provisions of this Act for the offense or
20 offenses which were the subject of the successful petition for
21 termination of registration. This exemption shall apply only to
22 those offenses which were the subject of the successful
23 petition for termination of registration, and shall not apply
24 to any other or subsequent offenses requiring registration
25 under this Act.

26 (e) To determine whether a registrant poses a risk to the

1 community as required by subsection (d), the court shall
2 consider the following factors:

3 (1) a risk assessment performed by an evaluator
4 approved by the Sex Offender Management Board;

5 (2) the sex offender history of the adjudicated
6 juvenile delinquent;

7 (3) evidence of the adjudicated juvenile delinquent's
8 rehabilitation;

9 (4) the age of the adjudicated juvenile delinquent at
10 the time of the offense;

11 (5) information related to the adjudicated juvenile
12 delinquent's mental, physical, educational, and social
13 history;

14 (6) victim impact statements; and

15 (7) any other factors deemed relevant by the court.

16 (f) At the hearing set forth in subsections (c) and (d), a
17 registrant shall be represented by counsel and may present a
18 risk assessment conducted by an evaluator who is a licensed
19 psychiatrist, psychologist, or other mental health
20 professional, and who has demonstrated clinical experience in
21 juvenile sex offender treatment.

22 (g) After a registrant completes the term of his or her
23 registration, his or her name, address, and all other
24 identifying information shall be removed from all State and
25 local registries.

26 (h) This Section applies retroactively to cases in which

1 adjudicated juvenile delinquents who registered or were
2 required to register before the effective date of this
3 amendatory Act of the 95th General Assembly. On or after the
4 effective date of this amendatory Act of the 95th General
5 Assembly, a person adjudicated delinquent before the effective
6 date of this amendatory Act of the 95th General Assembly may
7 request a hearing regarding status of registration by filing a
8 Petition Requesting Registration Status with the clerk of the
9 court. Upon receipt of the Petition Requesting Registration
10 Status, the clerk of the court shall provide notice to the
11 parties and set the Petition for hearing pursuant to
12 subsections (c) through (e) of this Section.

13 (i) This Section does not apply to minors prosecuted under
14 the criminal laws as adults.

15 (Source: P.A. 95-658, eff. 10-11-07.)".