



Sen. John J. Millner

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1 AMENDMENT TO SENATE BILL 3346

2 AMENDMENT NO. _____. Amend Senate Bill 3346 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 11-9.4-5 as follows:

6 (720 ILCS 5/11-9.4-5 new)

7 Sec. 11-9.4-5. Adjudicated juvenile delinquent child sex
8 offender; prohibited activities.

9 (a) Definitions. For the purposes of this Section:

10 (1) "Adjudicated juvenile delinquent child sex
11 offender" means a person who has been adjudicated a
12 juvenile delinquent or found guilty under Article V of the
13 Juvenile Court Act of 1987 as the result of committing or
14 attempting to commit an act which, if committed by an
15 adult, would constitute:

16 (A) a violation of any of the following offenses

1 under this Code when the victim is a person under 18
2 years of age:

3 (i) aggravated criminal sexual abuse,

4 (ii) aggravated criminal sexual assault,

5 (iii) criminal sexual assault,

6 (iv) felony sexual exploitation of a child,

7 (v) predatory criminal sexual assault of a
8 child,

9 (vi) kidnapping,

10 (vii) aggravated kidnapping,

11 (viii) unlawful restraint,

12 (ix) aggravated unlawful restraint,

13 (x) child luring, and

14 (xi) sexual misconduct with a person with a
15 disability;

16 (B) a violation of any former law of this State
17 substantially equivalent to any offense listed in
18 subdivision (1) (A) of this subsection (a); or

19 (C) a violation of any federal, Uniform Code of
20 Military Justice, sister state, or foreign country law
21 substantially equivalent to any offense listed in
22 subdivision (1) (A) of this subsection (a).

23 (2) "Child care institution" has the meaning ascribed
24 to it in Section 2.06 of the Child Care Act of 1969.

25 (3) "Day care center" has the meaning ascribed to it in
26 Section 2.09 of the Child Care Act of 1969.

1 (4) "Day care home" has the meaning ascribed to it in
2 Section 2.18 of the Child Care Act of 1969.

3 (5) "Group day care home" has the meaning ascribed to
4 it in Section 2.20 of the Child Care Act of 1969.

5 (6) "Facility providing programs or services directed
6 toward persons under the age of 18" means any facility
7 providing programs or services exclusively directed
8 towards persons under the age of 18.

9 (7) "Part day child care facility" has the meaning
10 ascribed to it in Section 2.10 of the Child Care Act of
11 1969.

12 (8) "School" means a public or private pre-school,
13 elementary, or secondary school.

14 (9) "School official" means the principal, a teacher,
15 or any other certified employee of the school, the
16 superintendent of schools or a member of the school
17 board.

18 (b) It is unlawful for an adjudicated juvenile delinquent
19 child sex offender to knowingly operate, manage, be employed
20 by, volunteer at, be associated with, or knowingly be present
21 at a:

22 (1) facility providing programs or services
23 exclusively directed toward persons under the age of 18;

24 (2) day care center;

25 (3) part day child care facility;

26 (4) child care institution;

1 (5) school providing before and after school programs
2 for children under 18 years of age;

3 (6) day care home; or

4 (7) group day care home.

5 (c) Subsection (b) does not prohibit the adjudicated
6 juvenile delinquent child sex offender from owning the real
7 property upon which the programs or services are offered or
8 upon which the day care center, part day child care facility,
9 child care institution, or school providing before and after
10 school programs for children under 18 years of age is located,
11 provided the adjudicated juvenile delinquent child sex
12 offender refrains from being present on the premises for the
13 hours during which:

14 (1) the programs or services are being offered or

15 (2) the day care center, part day child care facility,
16 child care institution, school providing before and after
17 school programs for children under 18 years of age, day
18 care home, or group day care home is operated.

19 (d) It is unlawful for an adjudicated juvenile delinquent
20 child sex offender to knowingly offer or provide any programs
21 or services to persons under 18 years of age in his or her
22 residence or the residence of another or in any facility for
23 the purpose of offering or providing those programs or
24 services, whether the programs or services are offered or
25 provided by contract, agreement, arrangement, or on a volunteer
26 basis.

1 (e) Sentence. An adjudicated juvenile delinquent child sex
2 offender who violates this Section is guilty of a Class 4
3 felony."