



Rep. William Davis

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09800HB4094ham002

LRB098 15652 RLC 58379 a

1 AMENDMENT TO HOUSE BILL 4094

2 AMENDMENT NO. _____. Amend House Bill 4094, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Criminal Code of 2012 is amended by
6 changing Section 11-9.4-1 as follows:

7 (720 ILCS 5/11-9.4-1)

8 Sec. 11-9.4-1. Sexual predator and child sex offender;
9 presence or loitering in or near public parks prohibited.

10 (a) For the purposes of this Section:

11 "Child sex offender" has the meaning ascribed to it in
12 subsection (d) of Section 11-9.3 of this Code, but does not
13 include as a sex offense under paragraph (2) of subsection
14 (d) of Section 11-9.3, the offenses under subsections (b)
15 and (c) of Section 11-1.50 or subsections (b) and (c) of
16 Section 12-15 of this Code.

1 "Public park" includes a park, forest preserve,
2 bikeway, trail, or conservation area under the
3 jurisdiction of the State or a unit of local government.

4 "Loiter" means:

5 (i) Standing, sitting idly, whether or not the
6 person is in a vehicle or remaining in or around public
7 park property.

8 (ii) Standing, sitting idly, whether or not the
9 person is in a vehicle or remaining in or around public
10 park property, for the purpose of committing or
11 attempting to commit a sex offense.

12 "Sexual predator" has the meaning ascribed to it in
13 subsection (E) of Section 2 of the Sex Offender
14 Registration Act.

15 (b) It is unlawful for a sexual predator or a child sex
16 offender to knowingly be present in any public park building or
17 on real property comprising any public park, unless the
18 offender is a parent or guardian of a person under 18 years of
19 age who is also present in the building or in the public park
20 and the offender does not contact or communicate with any other
21 persons under 18 years of age and his or her presence does not
22 violate any order of protection or any other court order.

23 (c) It is unlawful for a sexual predator or a child sex
24 offender to knowingly loiter on a public way within 500 feet of
25 a public park building or real property comprising any public
26 park, unless the offender is a parent or guardian of a person

1 under 18 years of age who is also present in the building or in
2 the public park and the offender does not contact or
3 communicate with any other persons under 18 years of age and
4 his or her presence does not violate any order of protection or
5 any other court order. For the purposes of this subsection (c),
6 the 500 feet distance shall be measured from the edge of the
7 property comprising the public park building or the real
8 property comprising the public park.

9 (d) Sentence. A person who violates this Section is guilty
10 of a Class A misdemeanor, except that a second or subsequent
11 violation is a Class 4 felony.

12 (Source: P.A. 96-1099, eff. 1-1-11; 97-698, eff. 1-1-13;
13 97-1109, eff. 1-1-13.)".