

SB0267



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0267

Introduced 1/24/2025, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

730 ILCS 150/2

from Ch. 38, par. 222

Amends the Sex Offender Registration Act. Provides that "sex offense" includes a violation or attempted violation of: (1) involuntary servitude, provided the offense was for commercial sexual activity, a sexually explicit performance, or other sexual services; (2) involuntary sexual servitude of a minor; or (3) trafficking in persons, provided the offense was for commercial sexual activity, a sexually explicit performance, or other sexual services.

LRB104 06261 RLC 16296 b

A BILL FOR

1 AN ACT concerning criminal law.

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 2 as follows:

6 (730 ILCS 150/2) (from Ch. 38, par. 222)

7 Sec. 2. Definitions.

8 (A) As used in this Article, "sex offender" means any
9 person who is:

10 (1) charged pursuant to Illinois law, or any
11 substantially similar federal, Uniform Code of Military
12 Justice, sister state, or foreign country law, with a sex
13 offense set forth in subsection (B) of this Section or the
14 attempt to commit an included sex offense, and:

15 (a) is convicted of such offense or an attempt to
16 commit such offense; or

17 (b) is found not guilty by reason of insanity of
18 such offense or an attempt to commit such offense; or

19 (c) is found not guilty by reason of insanity
20 pursuant to Section 104-25(c) of the Code of Criminal
21 Procedure of 1963 of such offense or an attempt to
22 commit such offense; or

23 (d) is the subject of a finding not resulting in an

1 acquittal at a hearing conducted pursuant to Section
2 104-25(a) of the Code of Criminal Procedure of 1963
3 for the alleged commission or attempted commission of
4 such offense; or

5 (e) is found not guilty by reason of insanity
6 following a hearing conducted pursuant to a federal,
7 Uniform Code of Military Justice, sister state, or
8 foreign country law substantially similar to Section
9 104-25(c) of the Code of Criminal Procedure of 1963 of
10 such offense or of the attempted commission of such
11 offense; or

12 (f) is the subject of a finding not resulting in an
13 acquittal at a hearing conducted pursuant to a
14 federal, Uniform Code of Military Justice, sister
15 state, or foreign country law substantially similar to
16 Section 104-25(a) of the Code of Criminal Procedure of
17 1963 for the alleged violation or attempted commission
18 of such offense; or

19 (2) declared as a sexually dangerous person pursuant
20 to the Illinois Sexually Dangerous Persons Act, or any
21 substantially similar federal, Uniform Code of Military
22 Justice, sister state, or foreign country law; or

23 (3) subject to the provisions of Section 2 of the
24 Interstate Agreements on Sexually Dangerous Persons Act;
25 or

26 (4) found to be a sexually violent person pursuant to

1 the Sexually Violent Persons Commitment Act or any
2 substantially similar federal, Uniform Code of Military
3 Justice, sister state, or foreign country law; or

4 (5) adjudicated a juvenile delinquent as the result of
5 committing or attempting to commit an act which, if
6 committed by an adult, would constitute any of the
7 offenses specified in item (B), (C), or (C-5) of this
8 Section or a violation of any substantially similar
9 federal, Uniform Code of Military Justice, sister state,
10 or foreign country law, or found guilty under Article V of
11 the Juvenile Court Act of 1987 of committing or attempting
12 to commit an act which, if committed by an adult, would
13 constitute any of the offenses specified in item (B), (C),
14 or (C-5) of this Section or a violation of any
15 substantially similar federal, Uniform Code of Military
16 Justice, sister state, or foreign country law.

17 Convictions that result from or are connected with the
18 same act, or result from offenses committed at the same time,
19 shall be counted for the purpose of this Article as one
20 conviction. Any conviction set aside pursuant to law is not a
21 conviction for purposes of this Article.

22 For purposes of this Section, "convicted" shall have the
23 same meaning as "adjudicated".

24 (B) As used in this Article, "sex offense" means:

25 (1) A violation of any of the following Sections of
26 the Criminal Code of 1961 or the Criminal Code of 2012:

1 11-20.1 (child pornography),
2 11-20.1B or 11-20.3 (aggravated child
3 pornography),
4 11-6 (indecent solicitation of a child),
5 11-9.1 (sexual exploitation of a child),
6 11-9.2 (custodial sexual misconduct),
7 11-9.5 (sexual misconduct with a person with a
8 disability),
9 11-14.4 (promoting juvenile prostitution),
10 11-15.1 (soliciting for a juvenile prostitute),
11 11-18.1 (patronizing a juvenile prostitute),
12 11-17.1 (keeping a place of juvenile
13 prostitution),
14 11-19.1 (juvenile pimping),
15 11-19.2 (exploitation of a child),
16 11-25 (grooming),
17 11-26 (traveling to meet a minor or traveling to
18 meet a child),
19 11-1.20 or 12-13 (criminal sexual assault),
20 11-1.30 or 12-14 (aggravated criminal sexual
21 assault),
22 11-1.40 or 12-14.1 (predatory criminal sexual
23 assault of a child),
24 11-1.50 or 12-15 (criminal sexual abuse),
25 11-1.60 or 12-16 (aggravated criminal sexual
26 abuse),

1 12-33 (ritualized abuse of a child).

2 An attempt to commit any of these offenses.

3 (1.5) A violation of any of the following Sections of
4 the Criminal Code of 1961 or the Criminal Code of 2012,
5 when the victim is a person under 18 years of age, the
6 defendant is not a parent of the victim, the offense was
7 sexually motivated as defined in Section 10 of the Sex
8 Offender Evaluation and Treatment Act, and the offense was
9 committed on or after January 1, 1996:

10 10-1 (kidnapping),

11 10-2 (aggravated kidnapping),

12 10-3 (unlawful restraint),

13 10-3.1 (aggravated unlawful restraint).

14 If the offense was committed before January 1, 1996,
15 it is a sex offense requiring registration only when the
16 person is convicted of any felony after July 1, 2011, and
17 paragraph (2.1) of subsection (c) of Section 3 of this Act
18 applies.

19 (1.6) First degree murder under Section 9-1 of the
20 Criminal Code of 1961 or the Criminal Code of 2012,
21 provided the offense was sexually motivated as defined in
22 Section 10 of the Sex Offender Management Board Act.

23 (1.7) (Blank).

24 (1.7-1) A violation or attempted violation of any of
25 the following provisions of the Criminal Code of 1961 or
26 the Criminal Code of 2012:

1 (i) subsection (b) of Section 10-9 (involuntary
2 servitude), provided the offense was for commercial
3 sexual activity, a sexually explicit performance, or
4 other sexual services,

5 (ii) subsection (c) of 10-9 (involuntary sexual
6 servitude of a minor),

7 (iii) subsection (d) of Section 10-9 (trafficking
8 in persons), provided the offense was for commercial
9 sexual activity, a sexually explicit performance, or
10 other sexual services.

11 (1.8) A violation or attempted violation of Section
12 11-11 (sexual relations within families) of the Criminal
13 Code of 1961 or the Criminal Code of 2012, and the offense
14 was committed on or after June 1, 1997. If the offense was
15 committed before June 1, 1997, it is a sex offense
16 requiring registration only when the person is convicted
17 of any felony after July 1, 2011, and paragraph (2.1) of
18 subsection (c) of Section 3 of this Act applies.

19 (1.9) Child abduction under paragraph (10) of
20 subsection (b) of Section 10-5 of the Criminal Code of
21 1961 or the Criminal Code of 2012 committed by luring or
22 attempting to lure a child under the age of 16 into a motor
23 vehicle, building, house trailer, or dwelling place
24 without the consent of the parent or lawful custodian of
25 the child for other than a lawful purpose and the offense
26 was committed on or after January 1, 1998, provided the

1 offense was sexually motivated as defined in Section 10 of
2 the Sex Offender Management Board Act. If the offense was
3 committed before January 1, 1998, it is a sex offense
4 requiring registration only when the person is convicted
5 of any felony after July 1, 2011, and paragraph (2.1) of
6 subsection (c) of Section 3 of this Act applies.

7 (1.10) A violation or attempted violation of any of
8 the following Sections of the Criminal Code of 1961 or the
9 Criminal Code of 2012 when the offense was committed on or
10 after July 1, 1999:

11 10-4 (forcible detention, if the victim is under
12 18 years of age), provided the offense was sexually
13 motivated as defined in Section 10 of the Sex Offender
14 Management Board Act,

15 11-6.5 (indecent solicitation of an adult),

16 11-14.3 that involves soliciting for a prostitute,
17 or 11-15 (soliciting for a prostitute, if the victim
18 is under 18 years of age),

19 subdivision (a)(2)(A) or (a)(2)(B) of Section
20 11-14.3, or Section 11-16 (pandering, if the victim is
21 under 18 years of age),

22 11-18 (patronizing a prostitute, if the victim is
23 under 18 years of age),

24 subdivision (a)(2)(C) of Section 11-14.3, or
25 Section 11-19 (pimping, if the victim is under 18
26 years of age).

1 If the offense was committed before July 1, 1999, it
2 is a sex offense requiring registration only when the
3 person is convicted of any felony after July 1, 2011, and
4 paragraph (2.1) of subsection (c) of Section 3 of this Act
5 applies.

6 (1.11) A violation or attempted violation of any of
7 the following Sections of the Criminal Code of 1961 or the
8 Criminal Code of 2012 when the offense was committed on or
9 after August 22, 2002:

10 11-9 or 11-30 (public indecency for a third or
11 subsequent conviction).

12 If the third or subsequent conviction was imposed
13 before August 22, 2002, it is a sex offense requiring
14 registration only when the person is convicted of any
15 felony after July 1, 2011, and paragraph (2.1) of
16 subsection (c) of Section 3 of this Act applies.

17 (1.12) A violation or attempted violation of Section
18 5.1 of the Wrongs to Children Act or Section 11-9.1A of the
19 Criminal Code of 1961 or the Criminal Code of 2012
20 (permitting sexual abuse) when the offense was committed
21 on or after August 22, 2002. If the offense was committed
22 before August 22, 2002, it is a sex offense requiring
23 registration only when the person is convicted of any
24 felony after July 1, 2011, and paragraph (2.1) of
25 subsection (c) of Section 3 of this Act applies.

26 (2) A violation of any former law of this State

1 substantially equivalent to any offense listed in
2 subsection (B) of this Section.

3 (C) A conviction for an offense of federal law, Uniform
4 Code of Military Justice, or the law of another state or a
5 foreign country that is substantially equivalent to any
6 offense listed in subsections (B), (C), (E), and (E-5) of this
7 Section shall constitute a conviction for the purpose of this
8 Article. A finding or adjudication as a sexually dangerous
9 person or a sexually violent person under any federal law,
10 Uniform Code of Military Justice, or the law of another state
11 or foreign country that is substantially equivalent to the
12 Sexually Dangerous Persons Act or the Sexually Violent Persons
13 Commitment Act shall constitute an adjudication for the
14 purposes of this Article.

15 (C-5) A person at least 17 years of age at the time of the
16 commission of the offense who is convicted of first degree
17 murder under Section 9-1 of the Criminal Code of 1961 or the
18 Criminal Code of 2012, against a person under 18 years of age,
19 shall be required to register for natural life. A conviction
20 for an offense of federal, Uniform Code of Military Justice,
21 sister state, or foreign country law that is substantially
22 equivalent to any offense listed in subsection (C-5) of this
23 Section shall constitute a conviction for the purpose of this
24 Article. This subsection (C-5) applies to a person who
25 committed the offense before June 1, 1996 if: (i) the person is
26 incarcerated in an Illinois Department of Corrections facility

1 on August 20, 2004 (the effective date of Public Act 93-977),
2 or (ii) subparagraph (i) does not apply and the person is
3 convicted of any felony after July 1, 2011, and paragraph
4 (2.1) of subsection (c) of Section 3 of this Act applies.

5 (C-6) A person who is convicted or adjudicated delinquent
6 of first degree murder as defined in Section 9-1 of the
7 Criminal Code of 1961 or the Criminal Code of 2012, against a
8 person 18 years of age or over, shall be required to register
9 for his or her natural life. A conviction for an offense of
10 federal, Uniform Code of Military Justice, sister state, or
11 foreign country law that is substantially equivalent to any
12 offense listed in subsection (C-6) of this Section shall
13 constitute a conviction for the purpose of this Article. This
14 subsection (C-6) does not apply to those individuals released
15 from incarceration more than 10 years prior to January 1, 2012
16 (the effective date of Public Act 97-154).

17 (D) As used in this Article, "law enforcement agency
18 having jurisdiction" means the Chief of Police in each of the
19 municipalities in which the sex offender expects to reside,
20 work, or attend school (1) upon his or her discharge, parole or
21 release or (2) during the service of his or her sentence of
22 probation or conditional discharge, or the Sheriff of the
23 county, in the event no Police Chief exists or if the offender
24 intends to reside, work, or attend school in an unincorporated
25 area. "Law enforcement agency having jurisdiction" includes
26 the location where out-of-state students attend school and

1 where out-of-state employees are employed or are otherwise
2 required to register.

3 (D-1) As used in this Article, "supervising officer" means
4 the assigned Illinois Department of Corrections parole agent
5 or county probation officer.

6 (E) As used in this Article, "sexual predator" means any
7 person who, after July 1, 1999, is:

8 (1) Convicted for an offense of federal, Uniform Code
9 of Military Justice, sister state, or foreign country law
10 that is substantially equivalent to any offense listed in
11 subsection (E) or (E-5) of this Section shall constitute a
12 conviction for the purpose of this Article. Convicted of a
13 violation or attempted violation of any of the following
14 Sections of the Criminal Code of 1961 or the Criminal Code
15 of 2012:

16 10-5.1 (luring of a minor),

17 11-14.4 that involves keeping a place of juvenile
18 prostitution, or 11-17.1 (keeping a place of juvenile
19 prostitution),

20 subdivision (a) (2) or (a) (3) of Section 11-14.4,
21 or Section 11-19.1 (juvenile pimping),

22 subdivision (a) (4) of Section 11-14.4, or Section
23 11-19.2 (exploitation of a child),

24 11-20.1 (child pornography),

25 11-20.1B or 11-20.3 (aggravated child
26 pornography),

1 11-1.20 or 12-13 (criminal sexual assault),
2 11-1.30 or 12-14 (aggravated criminal sexual
3 assault),
4 11-1.40 or 12-14.1 (predatory criminal sexual
5 assault of a child),
6 11-1.60 or 12-16 (aggravated criminal sexual
7 abuse),
8 12-33 (ritualized abuse of a child);
9 (2) (blank);
10 (3) declared as a sexually dangerous person pursuant
11 to the Sexually Dangerous Persons Act or any substantially
12 similar federal, Uniform Code of Military Justice, sister
13 state, or foreign country law;
14 (4) found to be a sexually violent person pursuant to
15 the Sexually Violent Persons Commitment Act or any
16 substantially similar federal, Uniform Code of Military
17 Justice, sister state, or foreign country law;
18 (5) convicted of a second or subsequent offense which
19 requires registration pursuant to this Act. For purposes
20 of this paragraph (5), "convicted" shall include a
21 conviction under any substantially similar Illinois,
22 federal, Uniform Code of Military Justice, sister state,
23 or foreign country law;
24 (6) (blank); or
25 (7) if the person was convicted of an offense set
26 forth in this subsection (E) on or before July 1, 1999, the

1 person is a sexual predator for whom registration is
2 required only when the person is convicted of a felony
3 offense after July 1, 2011, and paragraph (2.1) of
4 subsection (c) of Section 3 of this Act applies.

5 (E-5) As used in this Article, "sexual predator" also
6 means a person convicted of a violation or attempted violation
7 of any of the following Sections of the Criminal Code of 1961
8 or the Criminal Code of 2012:

9 (1) Section 9-1 (first degree murder, when the victim
10 was a person under 18 years of age and the defendant was at
11 least 17 years of age at the time of the commission of the
12 offense, provided the offense was sexually motivated as
13 defined in Section 10 of the Sex Offender Management Board
14 Act);

15 (2) Section 11-9.5 (sexual misconduct with a person
16 with a disability);

17 (3) when the victim is a person under 18 years of age,
18 the defendant is not a parent of the victim, the offense
19 was sexually motivated as defined in Section 10 of the Sex
20 Offender Management Board Act, and the offense was
21 committed on or after January 1, 1996: (A) Section 10-1
22 (kidnapping), (B) Section 10-2 (aggravated kidnapping),
23 (C) Section 10-3 (unlawful restraint), and (D) Section
24 10-3.1 (aggravated unlawful restraint); and

25 (4) Section 10-5(b)(10) (child abduction committed by
26 luring or attempting to lure a child under the age of 16

1 into a motor vehicle, building, house trailer, or dwelling
2 place without the consent of the parent or lawful
3 custodian of the child for other than a lawful purpose and
4 the offense was committed on or after January 1, 1998,
5 provided the offense was sexually motivated as defined in
6 Section 10 of the Sex Offender Management Board Act).

7 (E-10) As used in this Article, "sexual predator" also
8 means a person required to register in another State due to a
9 conviction, adjudication or other action of any court
10 triggering an obligation to register as a sex offender, sexual
11 predator, or substantially similar status under the laws of
12 that State.

13 (F) As used in this Article, "out-of-state student" means
14 any sex offender, as defined in this Section, or sexual
15 predator who is enrolled in Illinois, on a full-time or
16 part-time basis, in any public or private educational
17 institution, including, but not limited to, any secondary
18 school, trade or professional institution, or institution of
19 higher learning.

20 (G) As used in this Article, "out-of-state employee" means
21 any sex offender, as defined in this Section, or sexual
22 predator who works in Illinois, regardless of whether the
23 individual receives payment for services performed, for a
24 period of time of 10 or more days or for an aggregate period of
25 time of 30 or more days during any calendar year. Persons who
26 operate motor vehicles in the State accrue one day of

1 employment time for any portion of a day spent in Illinois.

2 (H) As used in this Article, "school" means any public or
3 private educational institution, including, but not limited
4 to, any elementary or secondary school, trade or professional
5 institution, or institution of higher education.

6 (I) As used in this Article, "fixed residence" means any
7 and all places that a sex offender resides for an aggregate
8 period of time of 5 or more days in a calendar year.

9 (J) As used in this Article, "Internet protocol address"
10 means the string of numbers by which a location on the Internet
11 is identified by routers or other computers connected to the
12 Internet.

13 (Source: P.A. 100-428, eff. 1-1-18.)