



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5541

Introduced 2/9/2024, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

730 ILCS 150/5-10
730 ILCS 150/8
730 ILCS 150/11

from Ch. 38, par. 228

Amends the Sex Offender Registration Act. Provides that the Illinois State Police may (rather than shall) mail verification letters to registered sex offenders. Provides that the Illinois State Police may adopt rules to allow for the use of an electronic registration portal to comply with the verification letters. Provides that the Illinois State Police may (rather than shall) mail an annual nonforwardable verification letter, beginning one year from the date of his or her last registration. Requires that registration of a sex offender shall (rather than may) include a submission of the sex offender's fingerprints and may, subject to appropriation, include the palm prints, and a current photograph of the person which shall be updated at each registration (rather than annually). Deletes a provision that the registration information must include whether the person is a sex offender as defined in the Sex Offender Community Notification Law. Provides that the registering agency shall enter the information into the Illinois State Police Sex Offender database (rather than the Law Enforcement Agencies Data System (LEADS)). Provides that the Illinois State Police may, subject to appropriation for this purpose, establish an electronic registration portal to be used by sex offenders and law enforcement to comply with the Act. Provides that the Illinois State Police may, subject to appropriation for this purpose, establish an electronic registration portal to be utilized by sex offenders and law enforcement to comply with the Act. Deletes a provision that the Illinois State Police shall establish and promulgate rules and procedures regarding the administration of this Fund. Deletes a provision that 50% of the moneys in the Fund shall be allocated for sheriffs' offices and police departments and that the remaining moneys in the Fund received shall be allocated to the Illinois State Police for education and administration of the Act. Provides that moneys in the Offender Registration Fund shall be allocated pursuant to the registration and penalty provisions of the Act, respectively

LRB103 38936 RLC 69503 b

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 Sections 5-10, 8, and 11 as follows:

6 (730 ILCS 150/5-10)

7 Sec. 5-10. Nonforwardable verification letters. The
8 Illinois State Police may ~~shall~~ mail a quarterly
9 nonforwardable verification letter to each registered person
10 who has been adjudicated to be sexually dangerous or is a
11 sexually violent person and is later released, or found to be
12 no longer sexually dangerous or no longer a sexually violent
13 person and discharged, beginning 90 days from the date of his
14 or her last registration. To any other person registered under
15 this Article, the Illinois State Police may ~~shall~~ mail an
16 annual nonforwardable verification letter, beginning one year
17 from the date of his or her last registration. A person
18 required to register under this Article who is mailed a
19 verification letter shall complete, sign, and return the
20 enclosed verification form to the Illinois State Police
21 postmarked within 10 days after the mailing date of the
22 letter. A person's failure to return the verification form to
23 the Illinois State Police within 10 days after the mailing

1 date of the letter shall be considered a violation of this
2 Article. The Illinois State Police may adopt rules to allow
3 for the use of an electronic registration portal to comply
4 with the verification letters.

5 (Source: P.A. 102-538, eff. 8-20-21.)

6 (730 ILCS 150/8) (from Ch. 38, par. 228)

7 Sec. 8. Registration and DNA submission requirements.

8 (a) Registration. Registration as required by this Article
9 shall consist of a statement in writing signed by the person
10 giving the information that is required by the Illinois State
11 Police, which shall ~~may~~ include the fingerprints and may,
12 subject to appropriation, include the palm prints and ~~must~~
13 ~~include~~ a current photograph of the person, which is to be
14 updated at each registration ~~annually~~. If the sex offender is
15 a child sex offender as defined in Section 11-9.3 ~~or 11-9.4~~ of
16 the Criminal Code of 1961 or the Criminal Code of 2012, he or
17 she shall sign a statement that he or she understands that
18 according to Illinois law as a child sex offender he or she may
19 not reside within 500 feet of a school, park, or playground.
20 The offender may also not reside within 500 feet of a facility
21 providing services directed exclusively toward persons under
22 18 years of age unless the sex offender meets specified
23 exemptions. ~~The registration information must include whether~~
24 ~~the person is a sex offender as defined in the Sex Offender~~
25 ~~Community Notification Law.~~ Within 3 days, the registering law

1 enforcement agency shall forward any required information to
2 the Illinois State Police. The registering law enforcement
3 agency shall enter the information into the Illinois State
4 Police Sex Offender database ~~Law Enforcement Agencies Data~~
5 ~~System (LEADS) as provided in Sections 6 and 7 of the~~
6 ~~Intergovernmental Missing Child Recovery Act of 1984.~~

7 (b) DNA submission. Every person registering as a sex
8 offender pursuant to this Act, regardless of the date of
9 conviction or the date of initial registration who is required
10 to submit specimens of blood, saliva, or tissue for DNA
11 analysis as required by subsection (a) of Section 5-4-3 of the
12 Unified Code of Corrections shall submit the specimens as
13 required by that Section. Registered sex offenders who have
14 previously submitted a DNA specimen which has been uploaded to
15 the Illinois DNA database shall not be required to submit an
16 additional specimen pursuant to this Section.

17 (c) Electronic registration portal. The Illinois State
18 Police may, subject to appropriation for this purpose,
19 establish an electronic registration portal to be utilized by
20 sex offenders and law enforcement to comply with the
21 provisions of this Act. The Illinois State Police may adopt
22 rules to implement the portal consistent with this Act. Once a
23 portal is established, any requirement to submit information
24 may be made through the portal consistent with administrative
25 rules.

26 (Source: P.A. 102-538, eff. 8-20-21.)

1 (730 ILCS 150/11)

2 Sec. 11. Offender Registration Fund. There is created the
3 Offender Registration Fund (formerly known as the Sex Offender
4 Registration Fund). Moneys in the Fund shall be used to cover
5 costs incurred by the criminal justice system to administer
6 this Article and the Murderer and Violent Offender Against
7 Youth Registration Act, and for purposes as authorized under
8 this Section. Moneys in the Fund shall be allocated pursuant
9 to Sections 3 and 10, respectively ~~The Illinois State Police~~
10 ~~shall establish and promulgate rules and procedures regarding~~
11 ~~the administration of this Fund. Fifty percent of the moneys~~
12 ~~in the Fund shall be allocated by the Department for sheriffs'~~
13 ~~offices and police departments. The remaining moneys in the~~
14 ~~Fund received under this amendatory Act of the 101st General~~
15 ~~Assembly shall be allocated to the Illinois State Police for~~
16 ~~education and administration of the Act.~~

17 Notwithstanding any other provision of law, in addition to
18 any other transfers that may be provided by law, on the
19 effective date of this amendatory Act of the 103rd General
20 Assembly, or as soon thereafter as practical, the State
21 Comptroller shall direct and the State Treasurer shall
22 transfer the remaining balance from the Sex Offender
23 Investigation Fund to the Offender Registration Fund. Upon
24 completion of the transfers, the Sex Offender Investigation
25 Fund is dissolved, and any future deposits into the Sex

1 Offender Investigation Fund and any outstanding obligations or
2 liabilities of the Sex Offender Investigation Fund pass to the
3 Offender Registration Fund.

4 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 6-9-23.)