

1 AMENDMENT TO HOUSE BILL 425

2 AMENDMENT NO. _____. Amend House Bill 425, AS AMENDED, as
3 follows:

4 by replacing everything after the enacting clause with the
5 following:

6 "Section 5. The Department of State Police Law of the
7 Civil Administrative Code of Illinois is amended by adding
8 Section 2605-560 as follows:

9 (20 ILCS 2605/2605-560 new)

10 Sec. 2605-560. Pilot program; Project Safe Child.

11 (a) In this Section:

12 "Child" means a person under 18 years of age or a
13 severely or profoundly mentally retarded person at the time
14 of the offense.

15 "Sex offense" has the meaning ascribed to it in
16 subsection (c) of Section 10 of the Sex Offender Management
17 Board Act.

18 "Severely or profoundly mentally retarded person" has the
19 meaning ascribed to it in Section 2-10.1 of the Criminal Code
20 of 1961.

21 (b) The Department shall establish a Project Safe Child
22 pilot program to combat crimes against children facilitated

1 by the Internet.

2 (c) Through the pilot program, the Department, in
3 coordination with local law enforcement agencies, State's
4 Attorneys, and United States Attorneys, shall encourage the
5 prosecution in federal court of all persons who use the
6 Internet, directly or indirectly, to commit or attempt to
7 commit a sex offense if the sex offense is committed or
8 attempted against a child. The program shall also encourage
9 public outreach by law enforcement agencies.

10 (d) There is created the Project Safe Child Fund, a
11 special fund in the State treasury. Moneys appropriated for
12 the purposes of Project Safe Child and moneys from any other
13 private or public source, including without limitation grants
14 from the Department of Commerce and Community Affairs or the
15 United States Department of Justice, shall be deposited into
16 the Fund. Moneys in the Fund, subject to appropriation, may
17 be used by the Department of State Police to develop and
18 administer the Project Safe Child program.

19 (e) The Department shall report to the General Assembly
20 by March 1, 2005 regarding the implementation and effects of
21 the Project Safe Child pilot program and shall by that date
22 make recommendations to the General Assembly for changes in
23 the program that the Department deems appropriate.

24 The requirement for reporting to the General Assembly
25 shall be satisfied by filing copies of the report with the
26 Speaker, the Minority Leader, and the Clerk of the House of
27 Representatives, with the President, the Minority Leader, and
28 the Secretary of the Senate, and with the Legislative
29 Research Unit, as required by Section 3.1 of the General
30 Assembly Organization Act, and filing such additional copies
31 with the State Government Report Distribution Center for the
32 General Assembly as is required under paragraph (t) of
33 Section 7 of the State Library Act.

1 Section 10. The State Finance Act is amended by adding
2 Section 5.595 as follows:

3 (30 ILCS 105/5.595 new)

4 Sec. 5.595. The Project Safe Child Fund.

5 Section 15. The Criminal Code of 1961 is amended by
6 adding Section 11-24 as follows:

7 (720 ILCS 5/11-24 new)

8 Sec. 11-24. Child photography by sex offender.

9 (a) In this Section:

10 "Child" means a person under 18 years of age.

11 "Child sex offender" has the meaning ascribed to it in
12 Section 11-9.3 of this Code.

13 (b) It is unlawful for a child sex offender to
14 knowingly:

15 (1) conduct or operate any type of business in
16 which he or she photographs, videotapes, or takes a
17 digital image of a child;

18 (2) conduct or operate any type of business in
19 which he or she instructs or directs another person to
20 photograph, videotape, or take a digital image of a
21 child; or

22 (3) conduct or operate any type of business in
23 which he or she offers for sale a photograph, videotape,
24 computer disk, digital image, or visual depiction of a
25 child.

26 (c) Sentence. A violation of this Section is a Class 2
27 felony.

28 Section 99. Effective date. This Act takes effect upon
29 becoming law."