



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB1234

Introduced 2/18/2005, by Sen. Kirk W. Dillard - Don Harmon -
Jacqueline Y. Collins - Christine Radogno - William R. Haine

SYNOPSIS AS INTRODUCED:

730 ILCS 150/2	from Ch. 38, par. 222
730 ILCS 150/3	from Ch. 38, par. 223
730 ILCS 150/4	from Ch. 38, par. 224
730 ILCS 150/5	from Ch. 38, par. 225
730 ILCS 150/5-5	
730 ILCS 150/6	from Ch. 38, par. 226
730 ILCS 150/6-5	
730 ILCS 150/7	from Ch. 38, par. 227
730 ILCS 150/10	from Ch. 38, par. 230

Amends the Sex Offender Registration Act. Defines "sex offender" to include custodial sexual misconduct (rather than custodial sexual misconduct committed on or after August 22, 2002). Defines as a "sexual predator" a person convicted of a violation or attempted violation of criminal sexual assault regardless of the age of the victim. Establishes procedures for a sex offender to notify the appropriate law enforcement agency within 5 days after ceasing to have a fixed residence. Changes certain registration periods from 10 days to 5 days. Provides that a second or subsequent violation of this Act is a Class 2 felony.

LRB094 09724 RLC 39980 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning sex offenders.

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 2, 3, 4, 5, 5-5, 6, 6-5, 7, and 10 as
6 follows:

7 (730 ILCS 150/2) (from Ch. 38, par. 222)

8 Sec. 2. Definitions.

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

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

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

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

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

24 (d) is the subject of a finding not resulting in an
25 acquittal at a hearing conducted pursuant to Section
26 104-25(a) of the Code of Criminal Procedure of 1963 for
27 the alleged commission or attempted commission of such
28 offense; or

29 (e) is found not guilty by reason of insanity
30 following a hearing conducted pursuant to a federal,
31 Uniform Code of Military Justice, sister state, or
32 foreign country law substantially similar to Section

1 104-25(c) of the Code of Criminal Procedure of 1963 of
2 such offense or of the attempted commission of such
3 offense; or

4 (f) is the subject of a finding not resulting in an
5 acquittal at a hearing conducted pursuant to a federal,
6 Uniform Code of Military Justice, sister state, or
7 foreign country law substantially similar to Section
8 104-25(a) of the Code of Criminal Procedure of 1963 for
9 the alleged violation or attempted commission of such
10 offense; or

11 (2) certified as a sexually dangerous person pursuant
12 to the Illinois Sexually Dangerous Persons Act, or any
13 substantially similar federal, Uniform Code of Military
14 Justice, sister state, or foreign country law; or

15 (3) subject to the provisions of Section 2 of the
16 Interstate Agreements on Sexually Dangerous Persons Act;
17 or

18 (4) found to be a sexually violent person pursuant to
19 the Sexually Violent Persons Commitment Act or any
20 substantially similar federal, Uniform Code of Military
21 Justice, sister state, or foreign country law; or

22 (5) adjudicated a juvenile delinquent as the result of
23 committing or attempting to commit an act which, if
24 committed by an adult, would constitute any of the offenses
25 specified in item (B), (C), or (C-5) of this Section or a
26 violation of any substantially similar federal, Uniform
27 Code of Military Justice, sister state, or foreign country
28 law, or found guilty under Article V of the Juvenile Court
29 Act of 1987 of committing or attempting to commit an act
30 which, if committed by an adult, would constitute any of
31 the offenses specified in item (B), (C), or (C-5) of this
32 Section or a violation of any substantially similar
33 federal, Uniform Code of Military Justice, sister state, or
34 foreign country law.

35 Convictions that result from or are connected with the same
36 act, or result from offenses committed at the same time, shall

1 be counted for the purpose of this Article as one conviction.
2 Any conviction set aside pursuant to law is not a conviction
3 for purposes of this Article.

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

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

7 (1) A violation of any of the following Sections of the
8 Criminal Code of 1961:

- 9 11-20.1 (child pornography),
10 11-6 (indecent solicitation of a child),
11 11-9.1 (sexual exploitation of a child),
12 11-9.2 (custodial sexual misconduct),
13 11-15.1 (soliciting for a juvenile prostitute),
14 11-18.1 (patronizing a juvenile prostitute),
15 11-17.1 (keeping a place of juvenile
16 prostitution),
17 11-19.1 (juvenile pimping),
18 11-19.2 (exploitation of a child),
19 12-13 (criminal sexual assault),
20 12-14 (aggravated criminal sexual assault),
21 12-14.1 (predatory criminal sexual assault of a
22 child),
23 12-15 (criminal sexual abuse),
24 12-16 (aggravated criminal sexual abuse),
25 12-33 (ritualized abuse of a child).

26 An attempt to commit any of these offenses.

27 (1.5) A violation of any of the following Sections of
28 the Criminal Code of 1961, when the victim is a person
29 under 18 years of age, the defendant is not a parent of the
30 victim, and the offense was committed on or after January
31 1, 1996:

- 32 10-1 (kidnapping),
33 10-2 (aggravated kidnapping),
34 10-3 (unlawful restraint),
35 10-3.1 (aggravated unlawful restraint).

36 An attempt to commit any of these offenses.

1 (1.6) First degree murder under Section 9-1 of the
2 Criminal Code of 1961, when the victim was a person under
3 18 years of age and the defendant was at least 17 years of
4 age at the time of the commission of the offense.

5 (1.7) (Blank).

6 (1.8) A violation or attempted violation of Section
7 11-11 (sexual relations within families) of the Criminal
8 Code of 1961, and the offense was committed on or after
9 June 1, 1997.

10 (1.9) Child abduction under paragraph (10) of
11 subsection (b) of Section 10-5 of the Criminal Code of 1961
12 committed by luring or attempting to lure a child under the
13 age of 16 into a motor vehicle, building, house trailer, or
14 dwelling place without the consent of the parent or lawful
15 custodian of the child for other than a lawful purpose and
16 the offense was committed on or after January 1, 1998.

17 (1.10) A violation or attempted violation of any of the
18 following Sections of the Criminal Code of 1961 when the
19 offense was committed on or after July 1, 1999:

20 10-4 (forcible detention, if the victim is under 18
21 years of age),

22 11-6.5 (indecent solicitation of an adult),

23 11-15 (soliciting for a prostitute, if the victim
24 is under 18 years of age),

25 11-16 (pandering, if the victim is under 18 years
26 of age),

27 11-18 (patronizing a prostitute, if the victim is
28 under 18 years of age),

29 11-19 (pimping, if the victim is under 18 years of
30 age).

31 (1.11) A violation or attempted violation of any of the
32 following Sections of the Criminal Code of 1961 when the
33 offense was committed on or after August 22, 2002 ~~the~~
34 ~~effective date of this amendatory Act of the 92nd General~~
35 ~~Assembly:~~

36 11-9 (public indecency for a third or subsequent

1 conviction).~~7~~

2 ~~11-9.2 (custodial sexual misconduct).~~

3 (1.12) A violation or attempted violation of Section
4 5.1 of the Wrongs to Children Act (permitting sexual abuse)
5 when the offense was committed on or after August 22, 2002
6 ~~the effective date of this amendatory Act of the 92nd~~
7 ~~General Assembly.~~

8 (2) A violation of any former law of this State
9 substantially equivalent to any offense listed in
10 subsection (B) of this Section.

11 (C) A conviction for an offense of federal law, Uniform
12 Code of Military Justice, or the law of another state or a
13 foreign country that is substantially equivalent to any offense
14 listed in subsections (B), (C), and (E) of this Section shall
15 constitute a conviction for the purpose of this Article. A
16 finding or adjudication as a sexually dangerous person or a
17 sexually violent person under any federal law, Uniform Code of
18 Military Justice, or the law of another state or foreign
19 country that is substantially equivalent to the Sexually
20 Dangerous Persons Act or the Sexually Violent Persons
21 Commitment Act shall constitute an adjudication for the
22 purposes of this Article.

23 (C-5) A person at least 17 years of age at the time of the
24 commission of the offense who is convicted of first degree
25 murder under Section 9-1 of the Criminal Code of 1961, against
26 a person under 18 years of age, shall be required to register
27 for natural life. A conviction for an offense of federal,
28 Uniform Code of Military Justice, sister state, or foreign
29 country law that is substantially equivalent to any offense
30 listed in subsection (C-5) of this Section shall constitute a
31 conviction for the purpose of this Article. This subsection
32 (C-5) applies to a person who committed the offense before June
33 1, 1996 only if the person is incarcerated in an Illinois
34 Department of Corrections facility on August 20, 2004 (the
35 effective date of Public Act 93-977) ~~this amendatory Act of the~~
36 ~~93rd General Assembly.~~

1 (D) As used in this Article, "law enforcement agency having
2 jurisdiction" means the Chief of Police in each of the
3 municipalities in which the sex offender expects to reside,
4 work, or attend school (1) upon his or her discharge, parole or
5 release or (2) during the service of his or her sentence of
6 probation or conditional discharge, or the Sheriff of the
7 county, in the event no Police Chief exists or if the offender
8 intends to reside, work, or attend school in an unincorporated
9 area. "Law enforcement agency having jurisdiction" includes
10 the location where out-of-state students attend school and
11 where out-of-state employees are employed or are otherwise
12 required to register.

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

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

18 (1) Convicted for an offense of federal, Uniform Code
19 of Military Justice, sister state, or foreign country law
20 that is substantially equivalent to any offense listed in
21 subsection (E) of this Section shall constitute a
22 conviction for the purpose of this Article. Convicted of a
23 violation or attempted violation of any of the following
24 Sections of the Criminal Code of 1961, if the conviction
25 occurred after July 1, 1999:

26 11-17.1 (keeping a place of juvenile
27 prostitution),

28 11-19.1 (juvenile pimping),

29 11-19.2 (exploitation of a child),

30 11-20.1 (child pornography),

31 12-13 (criminal sexual assault, ~~if the victim is a~~
32 ~~person under 12 years of age~~),

33 12-14 (aggravated criminal sexual assault),

34 12-14.1 (predatory criminal sexual assault of a
35 child),

36 12-16 (aggravated criminal sexual abuse),

1 12-33 (ritualized abuse of a child); or

2 (2) convicted of first degree murder under Section 9-1
3 of the Criminal Code of 1961, when the victim was a person
4 under 18 years of age and the defendant was at least 17
5 years of age at the time of the commission of the offense;
6 or

7 (3) certified as a sexually dangerous person pursuant
8 to the Sexually Dangerous Persons Act or any substantially
9 similar federal, Uniform Code of Military Justice, sister
10 state, or foreign country law; or

11 (4) found to be a sexually violent person pursuant to
12 the Sexually Violent Persons Commitment Act or any
13 substantially similar federal, Uniform Code of Military
14 Justice, sister state, or foreign country law; or

15 (5) convicted of a second or subsequent offense which
16 requires registration pursuant to this Act. The conviction
17 for the second or subsequent offense must have occurred
18 after July 1, 1999. For purposes of this paragraph (5),
19 "convicted" shall include a conviction under any
20 substantially similar Illinois, federal, Uniform Code of
21 Military Justice, sister state, or foreign country law.

22 (F) As used in this Article, "out-of-state student" means
23 any sex offender, as defined in this Section, or sexual
24 predator who is enrolled in Illinois, on a full-time or
25 part-time basis, in any public or private educational
26 institution, including, but not limited to, any secondary
27 school, trade or professional institution, or institution of
28 higher learning.

29 (G) As used in this Article, "out-of-state employee" means
30 any sex offender, as defined in this Section, or sexual
31 predator who works in Illinois, regardless of whether the
32 individual receives payment for services performed, for a
33 period of time of 10 or more days or for an aggregate period of
34 time of 30 or more days during any calendar year. Persons who
35 operate motor vehicles in the State accrue one day of
36 employment time for any portion of a day spent in Illinois.

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

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

8 (Source: P.A. 92-828, eff. 8-22-02; 93-977, eff. 8-20-04;
9 93-979, eff. 8-20-04; revised 10-14-04.)

10 (730 ILCS 150/3) (from Ch. 38, par. 223)

11 Sec. 3. Duty to register.

12 (a) A sex offender, as defined in Section 2 of this Act, or
13 sexual predator shall, within the time period prescribed in
14 subsections (b) and (c), register in person and provide
15 accurate information as required by the Department of State
16 Police. Such information shall include a current photograph,
17 current address, current place of employment, and school
18 attended. The sex offender or sexual predator shall register:

19 (1) with the chief of police in the municipality in
20 which he or she resides or is temporarily domiciled for a
21 period of time of 5 ~~10~~ or more days, unless the
22 municipality is the City of Chicago, in which case he or
23 she shall register at the Chicago Police Department
24 Headquarters; or

25 (2) with the sheriff in the county in which he or she
26 resides or is temporarily domiciled for a period of time of
27 5 ~~10~~ or more days in an unincorporated area or, if
28 incorporated, no police chief exists.

29 If the sex offender or sexual predator is employed at or
30 attends an institution of higher education, he or she shall
31 register:

32 (i) with the chief of police in the municipality in
33 which he or she is employed at or attends an institution of
34 higher education, unless the municipality is the City of
35 Chicago, in which case he or she shall register at the

1 Chicago Police Department Headquarters; or

2 (ii) with the sheriff in the county in which he or she
3 is employed or attends an institution of higher education
4 located in an unincorporated area, or if incorporated, no
5 police chief exists.

6 For purposes of this Article, the place of residence or
7 temporary domicile is defined as any and all places where the
8 sex offender resides for an aggregate period of time of 5 ~~10~~ or
9 more days during any calendar year. Any person required to
10 register under this Article who lacks a fixed address or
11 temporary domicile must notify, in person, the agency of
12 jurisdiction of his or her last known address within 5 days
13 after ceasing to have a fixed residence.

14 Any person who lacks a fixed residence must report weekly,
15 in person, with the sheriff's office of the county in which he
16 or she is located in an unincorporated area, or with the chief
17 of police in the municipality in which he or she is located.
18 The agency of jurisdiction will document each weekly
19 registration to include all the locations where the person has
20 stayed during the past 7 days.

21 The sex offender or sexual predator shall provide accurate
22 information as required by the Department of State Police. That
23 information shall include the sex offender's or sexual
24 predator's current place of employment.

25 (a-5) An out-of-state student or out-of-state employee
26 shall, within 5 ~~10~~ days after beginning school or employment in
27 this State, register in person and provide accurate information
28 as required by the Department of State Police. Such information
29 will include current place of employment, school attended, and
30 address in state of residence. The out-of-state student or
31 out-of-state employee shall register:

32 (1) with the chief of police in the municipality in
33 which he or she attends school or is employed for a period
34 of time of 5 ~~10~~ or more days or for an aggregate period of
35 time of more than 30 days during any calendar year, unless
36 the municipality is the City of Chicago, in which case he

1 or she shall register at the Chicago Police Department
2 Headquarters; or

3 (2) with the sheriff in the county in which he or she
4 attends school or is employed for a period of time of 5 ~~10~~
5 or more days or for an aggregate period of time of more
6 than 30 days during any calendar year in an unincorporated
7 area or, if incorporated, no police chief exists.

8 The out-of-state student or out-of-state employee shall
9 provide accurate information as required by the Department of
10 State Police. That information shall include the out-of-state
11 student's current place of school attendance or the
12 out-of-state employee's current place of employment.

13 (b) Any sex offender, as defined in Section 2 of this Act,
14 or sexual predator, regardless of any initial, prior, or other
15 registration, shall, within 5 ~~10~~ days of beginning school, or
16 establishing a residence, place of employment, or temporary
17 domicile in any county, register in person as set forth in
18 subsection (a) or (a-5).

19 (c) The registration for any person required to register
20 under this Article shall be as follows:

21 (1) Any person registered under the Habitual Child Sex
22 Offender Registration Act or the Child Sex Offender
23 Registration Act prior to January 1, 1996, shall be deemed
24 initially registered as of January 1, 1996; however, this
25 shall not be construed to extend the duration of
26 registration set forth in Section 7.

27 (2) Except as provided in subsection (c)(4), any person
28 convicted or adjudicated prior to January 1, 1996, whose
29 liability for registration under Section 7 has not expired,
30 shall register in person prior to January 31, 1996.

31 (2.5) Except as provided in subsection (c)(4), any
32 person who has not been notified of his or her
33 responsibility to register shall be notified by a criminal
34 justice entity of his or her responsibility to register.
35 Upon notification the person must then register within 5 ~~10~~
36 days of notification of his or her requirement to register.

1 If notification is not made within the offender's 10 year
2 registration requirement, and the Department of State
3 Police determines no evidence exists or indicates the
4 offender attempted to avoid registration, the offender
5 will no longer be required to register under this Act.

6 (3) Except as provided in subsection (c)(4), any person
7 convicted on or after January 1, 1996, shall register in
8 person within 5 ~~10~~ days after the entry of the sentencing
9 order based upon his or her conviction.

10 (4) Any person unable to comply with the registration
11 requirements of this Article because he or she is confined,
12 institutionalized, or imprisoned in Illinois on or after
13 January 1, 1996, shall register in person within 5 ~~10~~ days
14 of discharge, parole or release.

15 (5) The person shall provide positive identification
16 and documentation that substantiates proof of residence at
17 the registering address.

18 (6) The person shall pay a \$20 initial registration fee
19 and a \$10 annual renewal fee. The fees shall be used by the
20 registering agency for official purposes. The agency shall
21 establish procedures to document receipt and use of the
22 funds. The law enforcement agency having jurisdiction may
23 waive the registration fee if it determines that the person
24 is indigent and unable to pay the registration fee. Ten
25 dollars for the initial registration fee and \$5 of the
26 annual renewal fee shall be used by the registering agency
27 for official purposes. Ten dollars of the initial
28 registration fee and \$5 of the annual fee shall be
29 deposited into the Sex Offender Management Board Fund under
30 Section 19 of the Sex Offender Management Board Act. Money
31 deposited into the Sex Offender Management Board Fund shall
32 be administered by the Sex Offender Management Board and
33 shall be used to fund practices endorsed or required by the
34 Sex Offender Management Board Act including but not limited
35 to sex offenders evaluation, treatment, or monitoring
36 programs that are or may be developed, as well as for

1 administrative costs, including staff, incurred by the
2 Board.

3 (d) Within 5 ~~10~~ days after obtaining or changing employment
4 and, if employed on January 1, 2000, within 5 ~~10~~ days after
5 that date, a person required to register under this Section
6 must report, in person or in writing to the law enforcement
7 agency having jurisdiction, the business name and address where
8 he or she is employed. If the person has multiple businesses or
9 work locations, every business and work location must be
10 reported to the law enforcement agency having jurisdiction.

11 (Source: P.A. 92-828, eff. 8-22-02; 93-616, eff. 1-1-04;
12 93-979, eff. 8-20-04.)

13 (730 ILCS 150/4) (from Ch. 38, par. 224)

14 Sec. 4. Discharge of sex offender, as defined in Section 2
15 of this Act, or sexual predator from Department of Corrections
16 facility or other penal institution; duties of official in
17 charge. Any sex offender, as defined in Section 2 of this Act,
18 or sexual predator, as defined by this Article, who is
19 discharged, paroled or released from a Department of
20 Corrections facility, a facility where such person was placed
21 by the Department of Corrections or another penal institution,
22 and whose liability for registration has not terminated under
23 Section 7 shall, prior to discharge, parole or release from the
24 facility or institution, be informed of his or her duty to
25 register in person within 5 ~~10~~ days of release ~~under this~~
26 ~~Article~~ by the facility or institution in which he or she was
27 confined. The facility or institution shall also inform any
28 person who must register that if he or she establishes a
29 residence outside of the State of Illinois, is employed outside
30 of the State of Illinois, or attends school outside of the
31 State of Illinois, he or she must register in the new state
32 within 5 ~~10~~ days after establishing the residence, beginning
33 employment, or beginning school.

34 The facility shall require the person to read and sign such
35 form as may be required by the Department of State Police

1 stating that the duty to register and the procedure for
2 registration has been explained to him or her and that he or
3 she understands the duty to register and the procedure for
4 registration. The facility shall further advise the person in
5 writing that the failure to register or other violation of this
6 Article shall result in revocation of parole, mandatory
7 supervised release or conditional release. The facility shall
8 obtain information about where the person expects to reside,
9 work, and attend school upon his or her discharge, parole or
10 release and shall report the information to the Department of
11 State Police. The facility shall give one copy of the form to
12 the person and shall send one copy to each of the law
13 enforcement agencies having jurisdiction where the person
14 expects to reside, work, and attend school upon his or her
15 discharge, parole or release and retain one copy for the files.
16 Electronic data files which includes all notification form
17 information and photographs of sex offenders being released
18 from an Illinois Department of Corrections facility will be
19 shared on a regular basis as determined between the Department
20 of State Police and the Department of Corrections.

21 (Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

22 (730 ILCS 150/5) (from Ch. 38, par. 225)

23 Sec. 5. Release of sex offender, as defined in Section 2 of
24 this Act, or sexual predator; duties of the Court. Any sex
25 offender, as defined in Section 2 of this Act, or sexual
26 predator, as defined by this Article, who is released on
27 probation or discharged upon payment of a fine because of the
28 commission of one of the offenses defined in subsection (B) of
29 Section 2 of this Article, shall, prior to such release be
30 informed of his or her duty to register under this Article by
31 the Court in which he or she was convicted. The Court shall
32 also inform any person who must register that if he or she
33 establishes a residence outside of the State of Illinois, is
34 employed outside of the State of Illinois, or attends school
35 outside of the State of Illinois, he or she must register in

1 the new state within 5 ~~10~~ days after establishing the
2 residence, beginning employment, or beginning school. The
3 Court shall require the person to read and sign such form as
4 may be required by the Department of State Police stating that
5 the duty to register and the procedure for registration has
6 been explained to him or her and that he or she understands the
7 duty to register and the procedure for registration. The Court
8 shall further advise the person in writing that the failure to
9 register or other violation of this Article shall result in
10 probation revocation. The Court shall obtain information about
11 where the person expects to reside, work, and attend school
12 upon his or her release, and shall report the information to
13 the Department of State Police. The Court shall give one copy
14 of the form to the person and retain the original in the court
15 records. The Department of State Police shall notify the law
16 enforcement agencies having jurisdiction where the person
17 expects to reside, work and attend school upon his or her
18 release.

19 (Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

20 (730 ILCS 150/5-5)

21 Sec. 5-5. Discharge of sex offender or sexual predator from
22 a hospital or other treatment facility; duties of the official
23 in charge. Any sex offender, as defined in Section 2 of this
24 Act, or sexual predator, as defined in this Article, who is
25 discharged or released from a hospital or other treatment
26 facility where he or she was confined shall be informed by the
27 hospital or treatment facility in which he or she was confined,
28 prior to discharge or release from the hospital or treatment
29 facility, of his or her duty to register under this Article.

30 The facility shall require the person to read and sign such
31 form as may be required by the Department of State Police
32 stating that the duty to register and the procedure for
33 registration has been explained to him or her and that he or
34 she understands the duty to register and the procedure for
35 registration. The facility shall give one copy of the form to

1 the person, retain one copy for their records, and forward the
2 original to the Department of State Police. The facility shall
3 obtain information about where the person expects to reside,
4 work, and attend school upon his or her discharge, parole, or
5 release and shall report the information to the Department of
6 State Police within 3 days. The facility or institution shall
7 also inform any person who must register that if he or she
8 establishes a residence outside of the State of Illinois, is
9 employed outside of the State of Illinois, or attends school
10 outside of the State of Illinois, he or she must register in
11 the new state within 5 ~~10~~ days after establishing the
12 residence, beginning school, or beginning employment. The
13 Department of State Police shall notify the law enforcement
14 agencies having jurisdiction where the person expects to
15 reside, work, and attend school upon his or her release.

16 (Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

17 (730 ILCS 150/6) (from Ch. 38, par. 226)

18 Sec. 6. Duty to report; change of address, school, or
19 employment; duty to inform. A person who has been adjudicated
20 to be sexually dangerous or is a sexually violent person and is
21 later released, or found to be no longer sexually dangerous or
22 no longer a sexually violent person and discharged, or
23 convicted of a violation of this Act after July, 1, 2005, shall
24 report in person to the law enforcement agency with whom he or
25 she last registered no later than 90 days after the date of his
26 or her last registration and every 90 days thereafter. Any
27 person who lacks a fixed residence must report weekly, in
28 person, to the appropriate law enforcement agency where the sex
29 offender is located. Any other person who is required to
30 register under this Article shall report in person to the
31 appropriate law enforcement agency with whom he or she last
32 registered within one year from the date of last registration
33 and every year thereafter. If any person required to register
34 under this Article lacks a fixed residence or temporary
35 domicile, he or she must notify, in person, the agency of

1 jurisdiction of his or her last known address within 5 days
2 after ceasing to have a fixed residence and if the offender
3 leaves the last jurisdiction of residence, he or she, must with
4 48 hours after leaving register in person with the new agency
5 of jurisdiction. If any other person required to register under
6 this Article changes his or her residence address, place of
7 employment, or school, he or she shall, in writing, within 5 ~~10~~
8 days inform the law enforcement agency with whom he or she last
9 registered of his or her new address, change in employment, or
10 school and register with the appropriate law enforcement agency
11 within the time period specified in Section 3. The law
12 enforcement agency shall, within 3 days of receipt, notify the
13 Department of State Police and the law enforcement agency
14 having jurisdiction of the new place of residence, change in
15 employment, or school.

16 If any person required to register under this Article
17 intends to establish a residence or employment outside of the
18 State of Illinois, at least 10 days before establishing that
19 residence or employment, he or she shall, in writing, inform
20 the law enforcement agency with which he or she last registered
21 of his or her out-of-state intended residence or employment.
22 The law enforcement agency with which such person last
23 registered shall, within 3 days notice of an address or
24 employment change, notify the Department of State Police. The
25 Department of State Police shall forward such information to
26 the out-of-state law enforcement agency having jurisdiction in
27 the form and manner prescribed by the Department of State
28 Police.

29 (Source: P.A. 92-16, eff. 6-28-01; 92-828, eff. 8-22-02;
30 93-977, eff. 8-20-04.)

31 (730 ILCS 150/6-5)

32 Sec. 6-5. Out-of-State employee or student; duty to report
33 change. Every out-of-state student or out-of-state employee
34 must notify the agency having jurisdiction of any change of
35 employment or change of educational status, in writing, within

1 5 ~~10~~ days of the change. The law enforcement agency shall,
2 within 3 days after receiving the notice, enter the appropriate
3 changes into LEADS.

4 (Source: P.A. 91-48, eff. 7-1-99.)

5 (730 ILCS 150/7) (from Ch. 38, par. 227)

6 Sec. 7. Duration of registration. A person who has been
7 adjudicated to be sexually dangerous and is later released or
8 found to be no longer sexually dangerous and discharged, shall
9 register for the period of his or her natural life. A sexually
10 violent person or sexual predator shall register for the period
11 of his or her natural life after conviction or adjudication if
12 not confined to a penal institution, hospital, or other
13 institution or facility, and if confined, for the period of his
14 or her natural life after parole, discharge, or release from
15 any such facility. Any other person who is required to register
16 under this Article shall be required to register for a period
17 of 10 years after conviction or adjudication if not confined to
18 a penal institution, hospital or any other institution or
19 facility, and if confined, for a period of 10 years after
20 parole, discharge or release from any such facility. A sex
21 offender who is allowed to leave a county, State, or federal
22 facility for the purposes of work release, education, or
23 overnight visitations shall be required to register within 5 ~~10~~
24 days of beginning such a program. Liability for registration
25 terminates at the expiration of 10 years from the date of
26 conviction or adjudication if not confined to a penal
27 institution, hospital or any other institution or facility and
28 if confined, at the expiration of 10 years from the date of
29 parole, discharge or release from any such facility, providing
30 such person does not, during that period, again become liable
31 to register under the provisions of this Article. Reconfinement
32 due to a violation of parole or other circumstances that
33 relates to the original conviction or adjudication shall extend
34 the period of registration to 10 years after final parole,
35 discharge, or release. The Director of State Police, consistent

1 with administrative rules, shall extend for 10 years the
2 registration period of any sex offender, as defined in Section
3 2 of this Act, who fails to comply with the provisions of this
4 Article. The registration period for any sex offender who fails
5 to comply with any provision of the Act shall extend the period
6 of registration by 10 years beginning from the first date of
7 registration after the violation.

8 (Source: P.A. 92-828, eff. 8-22-02; 93-979, eff. 8-20-04.)

9 (730 ILCS 150/10) (from Ch. 38, par. 230)

10 Sec. 10. Penalty. Any person who is required to register
11 under this Article who violates any of the provisions of this
12 Article and any person who is required to register under this
13 Article who seeks to change his or her name under Article 21 of
14 the Code of Civil Procedure is guilty of a Class 3 felony. Any
15 person who is convicted for a violation of this Act for a
16 second or subsequent time is guilty of a Class 2 felony. Any
17 person who is required to register under this Article who
18 knowingly or wilfully gives material information required by
19 this Article that is false is guilty of a Class 3 felony. Any
20 person convicted of a violation of any provision of this
21 Article shall, in addition to any other penalty required by
22 law, be required to serve a minimum period of 7 days
23 confinement in the local county jail. The court shall impose a
24 mandatory minimum fine of \$500 for failure to comply with any
25 provision of this Article. These fines shall be deposited in
26 the Sex Offender Registration Fund. Any sex offender, as
27 defined in Section 2 of this Act, or sexual predator who
28 violates any provision of this Article may be arrested and
29 tried in any Illinois county where the sex offender can be
30 located. The local police department or sheriff's office is not
31 required to determine whether the person is living within its
32 jurisdiction.

33 (Source: P.A. 92-16, eff. 6-28-01; 92-828, eff. 8-22-02;
34 93-979, eff. 8-20-04.)