

# HB2769



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**HB2769**

Introduced 2/26/2007, by Rep. Michael J. Madigan - Barbara Flynn Currie - Robert S. Molaro

#### SYNOPSIS AS INTRODUCED:

730 ILCS 150/10

from Ch. 38, par. 230

Amends the Sex Offender Registration Act. Makes a technical change in a Section concerning penalties.

LRB095 07991 RLC 28153 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 10 as follows:

6 (730 ILCS 150/10) (from Ch. 38, par. 230)

7 Sec. 10. Penalty.

8 (a) Any person who is required to register under this  
9 Article who violates any of the ~~the~~ provisions of this Article  
10 and any person who is required to register under this Article  
11 who seeks to change his or her name under Article 21 of the  
12 Code of Civil Procedure is guilty of a Class 3 felony. Any  
13 person who is convicted for a violation of this Act for a  
14 second or subsequent time is guilty of a Class 2 felony. Any  
15 person who is required to register under this Article who  
16 knowingly or wilfully gives material information required by  
17 this Article that is false is guilty of a Class 3 felony. Any  
18 person convicted of a violation of any provision of this  
19 Article shall, in addition to any other penalty required by  
20 law, be required to serve a minimum period of 7 days  
21 confinement in the local county jail. The court shall impose a  
22 mandatory minimum fine of \$500 for failure to comply with any  
23 provision of this Article. These fines shall be deposited in

1 the Sex Offender Registration Fund. Any sex offender, as  
2 defined in Section 2 of this Act, or sexual predator who  
3 violates any provision of this Article may be arrested and  
4 tried in any Illinois county where the sex offender can be  
5 located. The local police department or sheriff's office is not  
6 required to determine whether the person is living within its  
7 jurisdiction.

8 (b) Any person, not covered by privilege under Part 8 of  
9 Article VIII of the Code of Civil Procedure or the Illinois  
10 Supreme Court's Rules of Professional Conduct, who has reason  
11 to believe that a sexual predator is not complying, or has not  
12 complied, with the requirements of this Article and who, with  
13 the intent to assist the sexual predator in eluding a law  
14 enforcement agency that is seeking to find the sexual predator  
15 to question the sexual predator about, or to arrest the sexual  
16 predator for, his or her noncompliance with the requirements of  
17 this Article is guilty of a Class 3 felony if he or she:

18 (1) provides false information to the law enforcement  
19 agency having jurisdiction about the sexual predator's  
20 noncompliance with the requirements of this Article, and,  
21 if known, the whereabouts of the sexual predator;

22 (2) harbors, or attempts to harbor, or assists another  
23 person in harboring or attempting to harbor, the sexual  
24 predator; or

25 (3) conceals or attempts to conceal, or assists another  
26 person in concealing or attempting to conceal, the sexual

1 predator.

2 (c) Subsection (b) does not apply if the sexual predator is  
3 incarcerated in or is in the custody of a State correctional  
4 facility, a private correctional facility, a county or  
5 municipal jail, a State mental health facility or a State  
6 treatment and detention facility, or a federal correctional  
7 facility.

8 (Source: P.A. 93-979, eff. 8-20-04; 94-168, eff. 1-1-06;  
9 94-988, eff. 1-1-07.)