



Rep. John E. Bradley

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1 AMENDMENT TO SENATE BILL 1397

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1397 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by  
5 changing Sections 11-19.2, 12-13, and 12-14.1 as follows:

6 (720 ILCS 5/11-19.2) (from Ch. 38, par. 11-19.2)

7 Sec. 11-19.2. Exploitation of a child.

8 (A) A person commits exploitation of a child when he or she  
9 confines a child under the age of 16 or a severely or  
10 profoundly mentally retarded person against his or her will by  
11 the infliction or threat of imminent infliction of great bodily  
12 harm, permanent disability or disfigurement or by  
13 administering to the child or severely or profoundly mentally  
14 retarded person without his or her consent or by threat or  
15 deception and for other than medical purposes, any alcoholic  
16 intoxicant or a drug as defined in the Illinois Controlled

1 Substances Act or the Cannabis Control Act or methamphetamine  
2 as defined in the Methamphetamine Control and Community  
3 Protection Act and:

4 (1) compels the child or severely or profoundly  
5 mentally retarded person to become a prostitute; or

6 (2) arranges a situation in which the child or severely  
7 or profoundly mentally retarded person may practice  
8 prostitution; or

9 (3) receives any money, property, token, object, or  
10 article or anything of value from the child or severely or  
11 profoundly mentally retarded person knowing it was  
12 obtained in whole or in part from the practice of  
13 prostitution.

14 (B) For purposes of this Section, administering drugs, as  
15 defined in subsection (A), or an alcoholic intoxicant to a  
16 child under the age of 13 or a severely or profoundly mentally  
17 retarded person shall be deemed to be without consent if such  
18 administering is done without the consent of the parents or  
19 legal guardian.

20 (C) Exploitation of a child is a Class X felony, for which  
21 the person shall be sentenced to a term of imprisonment of not  
22 less than 6 years and not more than 60 years.

23 (D) Any person convicted under this Section is subject to  
24 the forfeiture provisions of Section 11-20.1A of this Act.

25 (Source: P.A. 94-556, eff. 9-11-05.)

1 (720 ILCS 5/12-13) (from Ch. 38, par. 12-13)

2 Sec. 12-13. Criminal Sexual Assault.

3 (a) The accused commits criminal sexual assault if he or  
4 she:

5 (1) commits an act of sexual penetration by the use of  
6 force or threat of force; or

7 (2) commits an act of sexual penetration and the  
8 accused knew that the victim was unable to understand the  
9 nature of the act or was unable to give knowing consent; or

10 (3) commits an act of sexual penetration with a victim  
11 who was under 18 years of age when the act was committed  
12 and the accused was a family member; or

13 (4) commits an act of sexual penetration with a victim  
14 who was at least 13 years of age but under 18 years of age  
15 when the act was committed and the accused was 17 years of  
16 age or over and held a position of trust, authority or  
17 supervision in relation to the victim.

18 (b) Sentence.

19 (1) Criminal sexual assault is a Class 1 felony.

20 (2) A person who is convicted of the offense of  
21 criminal sexual assault as defined in paragraph (a)(1) or  
22 (a)(2) after having previously been convicted of the  
23 offense of criminal sexual assault or the offense of  
24 exploitation of a child, or who is convicted of the offense  
25 of criminal sexual assault as defined in paragraph (a)(1)  
26 or (a)(2) after having previously been convicted under the

1 laws of this State or any other state of an offense that is  
2 substantially equivalent to the offense of criminal sexual  
3 assault or to the offense of exploitation of a child,  
4 commits a Class X felony for which the person shall be  
5 sentenced to a term of imprisonment of not less than 30  
6 years and not more than 60 years. The commission of the  
7 second or subsequent offense is required to have been after  
8 the initial conviction for this paragraph (2) to apply.

9 (3) A person who is convicted of the offense of  
10 criminal sexual assault as defined in paragraph (a)(1) or  
11 (a)(2) after having previously been convicted of the  
12 offense of aggravated criminal sexual assault or the  
13 offense of predatory criminal sexual assault of a child, or  
14 who is convicted of the offense of criminal sexual assault  
15 as defined in paragraph (a)(1) or (a)(2) after having  
16 previously been convicted under the laws of this State or  
17 any other state of an offense that is substantially  
18 equivalent to the offense of aggravated criminal sexual  
19 assault or the offense of criminal predatory sexual assault  
20 shall be sentenced to a term of natural life imprisonment.  
21 The commission of the second or subsequent offense is  
22 required to have been after the initial conviction for this  
23 paragraph (3) to apply.

24 (4) A second or subsequent conviction for a violation  
25 of paragraph (a)(3) or (a)(4) or under any similar statute  
26 of this State or any other state for any offense involving

1 criminal sexual assault that is substantially equivalent  
2 to or more serious than the sexual assault prohibited under  
3 paragraph (a) (3) or (a) (4) is a Class X felony.

4 (5) When a person has any such prior conviction, the  
5 information or indictment charging that person shall state  
6 such prior conviction so as to give notice of the State's  
7 intention to treat the charge as a Class X felony. The fact  
8 of such prior conviction is not an element of the offense  
9 and may not be disclosed to the jury during trial unless  
10 otherwise permitted by issues properly raised during such  
11 trial.

12 (Source: P.A. 90-396, eff. 1-1-98.)

13 (720 ILCS 5/12-14.1)

14 Sec. 12-14.1. Predatory criminal sexual assault of a child.

15 (a) The accused commits predatory criminal sexual assault  
16 of a child if:

17 (1) the accused was 17 years of age or over and commits  
18 an act of sexual penetration with a victim who was under 13  
19 years of age when the act was committed; or

20 (1.1) the accused was 17 years of age or over and,  
21 while armed with a firearm, commits an act of sexual  
22 penetration with a victim who was under 13 years of age  
23 when the act was committed; or

24 (1.2) the accused was 17 years of age or over and  
25 commits an act of sexual penetration with a victim who was

1 under 13 years of age when the act was committed and,  
2 during the commission of the offense, the accused  
3 personally discharged a firearm; or

4 (2) the accused was 17 years of age or over and commits  
5 an act of sexual penetration with a victim who was under 13  
6 years of age when the act was committed and the accused  
7 caused great bodily harm to the victim that:

8 (A) resulted in permanent disability; or

9 (B) was life threatening; or

10 (3) the accused was 17 years of age or over and commits  
11 an act of sexual penetration with a victim who was under 13  
12 years of age when the act was committed and the accused  
13 delivered (by injection, inhalation, ingestion, transfer  
14 of possession, or any other means) to the victim without  
15 his or her consent, or by threat or deception, and for  
16 other than medical purposes, any controlled substance.

17 (b) Sentence.

18 (1) A person convicted of a violation of subsection  
19 (a)(1) commits a Class X felony, for which the person shall  
20 be sentenced to a term of imprisonment of not less than 6  
21 years and not more than 60 years. A person convicted of a  
22 violation of subsection (a)(1.1) commits a Class X felony  
23 for which 15 years shall be added to the term of  
24 imprisonment imposed by the court. A person convicted of a  
25 violation of subsection (a)(1.2) commits a Class X felony  
26 for which 20 years shall be added to the term of

1 imprisonment imposed by the court. A person convicted of a  
2 violation of subsection (a) (2) commits a Class X felony for  
3 which the person shall be sentenced to a term of  
4 imprisonment of not less than 50 years or up to a term of  
5 natural life imprisonment.

6 (1.1) A person convicted of a violation of subsection  
7 (a) (3) commits a Class X felony for which the person shall  
8 be sentenced to a term of imprisonment of not less than 50  
9 years and not more than 60 years.

10 (1.2) A person convicted of predatory criminal sexual  
11 assault of a child committed against 2 or more persons  
12 regardless of whether the offenses occurred as the result  
13 of the same act or of several related or unrelated acts  
14 shall be sentenced to a term of natural life imprisonment.

15 (2) A person who is convicted of a second or subsequent  
16 offense of predatory criminal sexual assault of a child, or  
17 who is convicted of the offense of predatory criminal  
18 sexual assault of a child after having previously been  
19 convicted of the offense of criminal sexual assault or the  
20 offense of aggravated criminal sexual assault, or who is  
21 convicted of the offense of predatory criminal sexual  
22 assault of a child after having previously been convicted  
23 under the laws of this State or any other state of an  
24 offense that is substantially equivalent to the offense of  
25 predatory criminal sexual assault of a child, the offense  
26 of aggravated criminal sexual assault or the offense of

1 criminal sexual assault, shall be sentenced to a term of  
2 natural life imprisonment. The commission of the second or  
3 subsequent offense is required to have been after the  
4 initial conviction for this paragraph (2) to apply.

5 (Source: P.A. 91-238, eff. 1-1-00; 91-404, eff. 1-1-00; 92-16,  
6 eff. 6-28-01.)

7 Section 10. The Unified Code of Corrections is amended by  
8 changing Sections 3-3-7, 3-6-3, and 5-8A-6 and by adding  
9 Section 3-19-15 as follows:

10 (730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

11 Sec. 3-3-7. Conditions of Parole or Mandatory Supervised  
12 Release.

13 (a) The conditions of parole or mandatory supervised  
14 release shall be such as the Prisoner Review Board deems  
15 necessary to assist the subject in leading a law-abiding life.  
16 The conditions of every parole and mandatory supervised release  
17 are that the subject:

18 (1) not violate any criminal statute of any  
19 jurisdiction during the parole or release term;

20 (2) refrain from possessing a firearm or other  
21 dangerous weapon;

22 (3) report to an agent of the Department of  
23 Corrections;

24 (4) permit the agent to visit him or her at his or her



1 home, employment, or elsewhere to the extent necessary for  
2 the agent to discharge his or her duties;

3 (5) attend or reside in a facility established for the  
4 instruction or residence of persons on parole or mandatory  
5 supervised release;

6 (6) secure permission before visiting or writing a  
7 committed person in an Illinois Department of Corrections  
8 facility;

9 (7) report all arrests to an agent of the Department of  
10 Corrections as soon as permitted by the arresting authority  
11 but in no event later than 24 hours after release from  
12 custody;

13 (7.5) if convicted of a sex offense as defined in the  
14 Sex Offender Management Board Act, the individual shall  
15 undergo and successfully complete sex offender treatment  
16 conducted in conformance with the standards developed by  
17 the Sex Offender Management Board Act by a treatment  
18 provider approved by the Board;

19 (7.6) if convicted of a sex offense as defined in the  
20 Sex Offender Management Board Act, refrain from residing at  
21 the same address or in the same condominium unit or  
22 apartment unit or in the same condominium complex or  
23 apartment complex with another person he or she knows or  
24 reasonably should know is a convicted sex offender or has  
25 been placed on supervision for a sex offense; the  
26 provisions of this paragraph do not apply to a person

1 convicted of a sex offense who is placed in a Department of  
2 Corrections licensed transitional housing facility for sex  
3 offenders, or is in any facility operated or licensed by  
4 the Department of Children and Family Services or by the  
5 Department of Human Services, or is in any licensed medical  
6 facility;

7 (7.7) if convicted for an offense that would qualify  
8 the accused as a sexual predator under the Sex Offender  
9 Registration Act on or after the effective date of this  
10 amendatory Act of the 94th General Assembly, wear an  
11 approved electronic monitoring device as defined in  
12 Section 5-8A-2 for the duration of the person's parole,  
13 mandatory supervised release term, or extended mandatory  
14 supervised release term, ~~provided funding is appropriated~~  
15 ~~by the General Assembly;~~

16 (7.8) if convicted for an offense that would qualify  
17 the accused as a sex offender or sexual predator under the  
18 Sex Offender Registration Act on or after the effective  
19 date of this amendatory Act of the 95th General Assembly,  
20 not possess prescription drugs for erectile dysfunction;

21 (8) obtain permission of an agent of the Department of  
22 Corrections before leaving the State of Illinois;

23 (9) obtain permission of an agent of the Department of  
24 Corrections before changing his or her residence or  
25 employment;

26 (10) consent to a search of his or her person,

1 property, or residence under his or her control;

2 (11) refrain from the use or possession of narcotics or  
3 other controlled substances in any form, or both, or any  
4 paraphernalia related to those substances and submit to a  
5 urinalysis test as instructed by a parole agent of the  
6 Department of Corrections;

7 (12) not frequent places where controlled substances  
8 are illegally sold, used, distributed, or administered;

9 (13) not knowingly associate with other persons on  
10 parole or mandatory supervised release without prior  
11 written permission of his or her parole agent and not  
12 associate with persons who are members of an organized gang  
13 as that term is defined in the Illinois Streetgang  
14 Terrorism Omnibus Prevention Act;

15 (14) provide true and accurate information, as it  
16 relates to his or her adjustment in the community while on  
17 parole or mandatory supervised release or to his or her  
18 conduct while incarcerated, in response to inquiries by his  
19 or her parole agent or of the Department of Corrections;

20 (15) follow any specific instructions provided by the  
21 parole agent that are consistent with furthering  
22 conditions set and approved by the Prisoner Review Board or  
23 by law, exclusive of placement on electronic detention, to  
24 achieve the goals and objectives of his or her parole or  
25 mandatory supervised release or to protect the public.  
26 These instructions by the parole agent may be modified at

1 any time, as the agent deems appropriate; and

2 (16) if convicted of a sex offense as defined in  
3 subsection (a-5) of Section 3-1-2 of this Code, unless the  
4 offender is a parent or guardian of the person under 18  
5 years of age present in the home and no non-familial minors  
6 are present, not participate in a holiday event involving  
7 children under 18 years of age, such as distributing candy  
8 or other items to children on Halloween, wearing a Santa  
9 Claus costume on or preceding Christmas, being employed as  
10 a department store Santa Claus, or wearing an Easter Bunny  
11 costume on or preceding Easter.

12 (b) The Board may in addition to other conditions require  
13 that the subject:

14 (1) work or pursue a course of study or vocational  
15 training;

16 (2) undergo medical or psychiatric treatment, or  
17 treatment for drug addiction or alcoholism;

18 (3) attend or reside in a facility established for the  
19 instruction or residence of persons on probation or parole;

20 (4) support his dependents;

21 (5) (blank);

22 (6) (blank);

23 (7) comply with the terms and conditions of an order of  
24 protection issued pursuant to the Illinois Domestic  
25 Violence Act of 1986, enacted by the 84th General Assembly,  
26 or an order of protection issued by the court of another

1 state, tribe, or United States territory; and

2 (8) in addition, if a minor:

3 (i) reside with his parents or in a foster home;

4 (ii) attend school;

5 (iii) attend a non-residential program for youth;

6 or

7 (iv) contribute to his own support at home or in a

8 foster home.

9 (b-1) In addition to the conditions set forth in  
10 subsections (a) and (b), persons required to register as sex  
11 offenders pursuant to the Sex Offender Registration Act, upon  
12 release from the custody of the Illinois Department of  
13 Corrections, may be required by the Board to comply with the  
14 following specific conditions of release:

15 (1) reside only at a Department approved location;

16 (2) comply with all requirements of the Sex Offender  
17 Registration Act;

18 (3) notify third parties of the risks that may be  
19 occasioned by his or her criminal record;

20 (4) obtain the approval of an agent of the Department  
21 of Corrections prior to accepting employment or pursuing a  
22 course of study or vocational training and notify the  
23 Department prior to any change in employment, study, or  
24 training;

25 (5) not be employed or participate in any volunteer  
26 activity that involves contact with children, except under

1           circumstances approved in advance and in writing by an  
2           agent of the Department of Corrections;

3           (6) be electronically monitored for a minimum of 12  
4           months from the date of release as determined by the Board;

5           (7) refrain from entering into a designated geographic  
6           area except upon terms approved in advance by an agent of  
7           the Department of Corrections. The terms may include  
8           consideration of the purpose of the entry, the time of day,  
9           and others accompanying the person;

10          (8) refrain from having any contact, including written  
11          or oral communications, directly or indirectly, personally  
12          or by telephone, letter, or through a third party with  
13          certain specified persons including, but not limited to,  
14          the victim or the victim's family without the prior written  
15          approval of an agent of the Department of Corrections;

16          (9) refrain from all contact, directly or indirectly,  
17          personally, by telephone, letter, or through a third party,  
18          with minor children without prior identification and  
19          approval of an agent of the Department of Corrections;

20          (10) neither possess or have under his or her control  
21          any material that is sexually oriented, sexually  
22          stimulating, or that shows male or female sex organs or any  
23          pictures depicting children under 18 years of age nude or  
24          any written or audio material describing sexual  
25          intercourse or that depicts or alludes to sexual activity,  
26          including but not limited to visual, auditory, telephonic,

1 or electronic media, or any matter obtained through access  
2 to any computer or material linked to computer access use;

3 (11) not patronize any business providing sexually  
4 stimulating or sexually oriented entertainment nor utilize  
5 "900" or adult telephone numbers;

6 (12) not reside near, visit, or be in or about parks,  
7 schools, day care centers, swimming pools, beaches,  
8 theaters, or any other places where minor children  
9 congregate without advance approval of an agent of the  
10 Department of Corrections and immediately report any  
11 incidental contact with minor children to the Department;

12 (13) not possess or have under his or her control  
13 certain specified items of contraband related to the  
14 incidence of sexually offending as determined by an agent  
15 of the Department of Corrections;

16 (14) may be required to provide a written daily log of  
17 activities if directed by an agent of the Department of  
18 Corrections;

19 (15) comply with all other special conditions that the  
20 Department may impose that restrict the person from  
21 high-risk situations and limit access to potential  
22 victims; -

23 (16) take an annual polygraph exam;

24 (17) maintain a log of his or her travel; or

25 (18) obtain prior approval of his or her parole officer  
26 before driving alone in a motor vehicle.

1           (c) The conditions under which the parole or mandatory  
2 supervised release is to be served shall be communicated to the  
3 person in writing prior to his release, and he shall sign the  
4 same before release. A signed copy of these conditions,  
5 including a copy of an order of protection where one had been  
6 issued by the criminal court, shall be retained by the person  
7 and another copy forwarded to the officer in charge of his  
8 supervision.

9           (d) After a hearing under Section 3-3-9, the Prisoner  
10 Review Board may modify or enlarge the conditions of parole or  
11 mandatory supervised release.

12           (e) The Department shall inform all offenders committed to  
13 the Department of the optional services available to them upon  
14 release and shall assist inmates in availing themselves of such  
15 optional services upon their release on a voluntary basis.

16           (Source: P.A. 93-616, eff. 1-1-04; 93-865, eff. 1-1-05; 94-159,  
17 eff. 7-11-05; 94-161, eff. 7-11-05; 94-988, eff. 1-1-07.)

18           (730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)

19           Sec. 3-6-3. Rules and Regulations for Early Release.

20           (a) (1) The Department of Corrections shall prescribe  
21 rules and regulations for the early release on account of  
22 good conduct of persons committed to the Department which  
23 shall be subject to review by the Prisoner Review Board.

24           (2) The rules and regulations on early release shall  
25 provide, with respect to offenses listed in clause (i),



1 (ii), or (iii) of this paragraph (2) committed on or after  
2 June 19, 1998 or with respect to the offense listed in  
3 clause (iv) of this paragraph (2) committed on or after  
4 June 23, 2005 (the effective date of Public Act 94-71) or  
5 with respect to the offense of being an armed habitual  
6 criminal committed on or after August 2, 2005 (the  
7 effective date of Public Act 94-398), the following:

8 (i) that a prisoner who is serving a term of  
9 imprisonment for first degree murder or for the offense  
10 of terrorism shall receive no good conduct credit and  
11 shall serve the entire sentence imposed by the court;

12 (ii) that a prisoner serving a sentence for attempt  
13 to commit first degree murder, solicitation of murder,  
14 solicitation of murder for hire, intentional homicide  
15 of an unborn child, predatory criminal sexual assault  
16 of a child, aggravated criminal sexual assault,  
17 criminal sexual assault, aggravated kidnapping,  
18 aggravated battery with a firearm, heinous battery,  
19 being an armed habitual criminal, aggravated battery  
20 of a senior citizen, or aggravated battery of a child  
21 shall receive no more than 4.5 days of good conduct  
22 credit for each month of his or her sentence of  
23 imprisonment;

24 (iii) that a prisoner serving a sentence for home  
25 invasion, armed robbery, aggravated vehicular  
26 hijacking, aggravated discharge of a firearm, or armed

1 violence with a category I weapon or category II  
2 weapon, when the court has made and entered a finding,  
3 pursuant to subsection (c-1) of Section 5-4-1 of this  
4 Code, that the conduct leading to conviction for the  
5 enumerated offense resulted in great bodily harm to a  
6 victim, shall receive no more than 4.5 days of good  
7 conduct credit for each month of his or her sentence of  
8 imprisonment; and

9 (iv) that a prisoner serving a sentence for  
10 aggravated discharge of a firearm, whether or not the  
11 conduct leading to conviction for the offense resulted  
12 in great bodily harm to the victim, shall receive no  
13 more than 4.5 days of good conduct credit for each  
14 month of his or her sentence of imprisonment.

15 (2.1) For all offenses, other than those enumerated in  
16 subdivision (a)(2)(i), (ii), or (iii) committed on or after  
17 June 19, 1998 or subdivision (a)(2)(iv) committed on or  
18 after June 23, 2005 (the effective date of Public Act  
19 94-71), and other than the offense of reckless homicide as  
20 defined in subsection (e) of Section 9-3 of the Criminal  
21 Code of 1961 committed on or after January 1, 1999, or  
22 aggravated driving under the influence of alcohol, other  
23 drug or drugs, or intoxicating compound or compounds, or  
24 any combination thereof as defined in subparagraph (F) of  
25 paragraph (1) of subsection (d) of Section 11-501 of the  
26 Illinois Vehicle Code, the rules and regulations shall

1 provide that a prisoner who is serving a term of  
2 imprisonment shall receive one day of good conduct credit  
3 for each day of his or her sentence of imprisonment or  
4 recommitment under Section 3-3-9. Each day of good conduct  
5 credit shall reduce by one day the prisoner's period of  
6 imprisonment or recommitment under Section 3-3-9.

7 (2.2) A prisoner serving a term of natural life  
8 imprisonment or a prisoner who has been sentenced to death  
9 shall receive no good conduct credit.

10 (2.3) The rules and regulations on early release shall  
11 provide that a prisoner who is serving a sentence for  
12 reckless homicide as defined in subsection (e) of Section  
13 9-3 of the Criminal Code of 1961 committed on or after  
14 January 1, 1999, or aggravated driving under the influence  
15 of alcohol, other drug or drugs, or intoxicating compound  
16 or compounds, or any combination thereof as defined in  
17 subparagraph (F) of paragraph (1) of subsection (d) of  
18 Section 11-501 of the Illinois Vehicle Code, shall receive  
19 no more than 4.5 days of good conduct credit for each month  
20 of his or her sentence of imprisonment.

21 (2.4) The rules and regulations on early release shall  
22 provide with respect to the offenses of aggravated battery  
23 with a machine gun or a firearm equipped with any device or  
24 attachment designed or used for silencing the report of a  
25 firearm or aggravated discharge of a machine gun or a  
26 firearm equipped with any device or attachment designed or

1 used for silencing the report of a firearm, committed on or  
2 after July 15, 1999 (the effective date of Public Act  
3 91-121), that a prisoner serving a sentence for any of  
4 these offenses shall receive no more than 4.5 days of good  
5 conduct credit for each month of his or her sentence of  
6 imprisonment.

7 (2.5) The rules and regulations on early release shall  
8 provide that a prisoner who is serving a sentence for  
9 aggravated arson committed on or after July 27, 2001 (the  
10 effective date of Public Act 92-176) shall receive no more  
11 than 4.5 days of good conduct credit for each month of his  
12 or her sentence of imprisonment.

13 (3) The rules and regulations shall also provide that  
14 the Director may award up to 180 days additional good  
15 conduct credit for meritorious service in specific  
16 instances as the Director deems proper; except that no more  
17 than 90 days of good conduct credit for meritorious service  
18 shall be awarded to any prisoner who is serving a sentence  
19 for conviction of first degree murder, reckless homicide  
20 while under the influence of alcohol or any other drug, or  
21 aggravated driving under the influence of alcohol, other  
22 drug or drugs, or intoxicating compound or compounds, or  
23 any combination thereof as defined in subparagraph (F) of  
24 paragraph (1) of subsection (d) of Section 11-501 of the  
25 Illinois Vehicle Code, aggravated kidnapping, kidnapping,  
26 predatory criminal sexual assault of a child, aggravated

1 criminal sexual assault, criminal sexual assault, deviate  
2 sexual assault, aggravated criminal sexual abuse,  
3 aggravated indecent liberties with a child, indecent  
4 liberties with a child, child pornography, heinous  
5 battery, aggravated battery of a spouse, aggravated  
6 battery of a spouse with a firearm, stalking, aggravated  
7 stalking, aggravated battery of a child, endangering the  
8 life or health of a child, cruelty to a child, or narcotic  
9 racketeering. Notwithstanding the foregoing, good conduct  
10 credit for meritorious service shall not be awarded on a  
11 sentence of imprisonment imposed for conviction of: (i) one  
12 of the offenses enumerated in subdivision (a)(2)(i), (ii),  
13 or (iii) when the offense is committed on or after June 19,  
14 1998 or subdivision (a)(2)(iv) when the offense is  
15 committed on or after June 23, 2005 (the effective date of  
16 Public Act 94-71), (ii) reckless homicide as defined in  
17 subsection (e) of Section 9-3 of the Criminal Code of 1961  
18 when the offense is committed on or after January 1, 1999,  
19 or aggravated driving under the influence of alcohol, other  
20 drug or drugs, or intoxicating compound or compounds, or  
21 any combination thereof as defined in subparagraph (F) of  
22 paragraph (1) of subsection (d) of Section 11-501 of the  
23 Illinois Vehicle Code, (iii) one of the offenses enumerated  
24 in subdivision (a)(2.4) when the offense is committed on or  
25 after July 15, 1999 (the effective date of Public Act  
26 91-121), or (iv) aggravated arson when the offense is

1 committed on or after July 27, 2001 (the effective date of  
2 Public Act 92-176).

3 (4) The rules and regulations shall also provide that  
4 the good conduct credit accumulated and retained under  
5 paragraph (2.1) of subsection (a) of this Section by any  
6 inmate during specific periods of time in which such inmate  
7 is engaged full-time in substance abuse programs,  
8 correctional industry assignments, or educational programs  
9 provided by the Department under this paragraph (4) and  
10 satisfactorily completes the assigned program as  
11 determined by the standards of the Department, shall be  
12 multiplied by a factor of 1.25 for program participation  
13 before August 11, 1993 and 1.50 for program participation  
14 on or after that date. However, no inmate shall be eligible  
15 for the additional good conduct credit under this paragraph  
16 (4) or (4.1) of this subsection (a) while assigned to a  
17 boot camp or electronic detention, or if convicted of an  
18 offense enumerated in subdivision (a)(2)(i), (ii), or  
19 (iii) of this Section that is committed on or after June  
20 19, 1998 or subdivision (a)(2)(iv) of this Section that is  
21 committed on or after June 23, 2005 (the effective date of  
22 Public Act 94-71), or if convicted of reckless homicide as  
23 defined in subsection (e) of Section 9-3 of the Criminal  
24 Code of 1961 if the offense is committed on or after  
25 January 1, 1999, or aggravated driving under the influence  
26 of alcohol, other drug or drugs, or intoxicating compound

1 or compounds, or any combination thereof as defined in  
2 subparagraph (F) of paragraph (1) of subsection (d) of  
3 Section 11-501 of the Illinois Vehicle Code, or if  
4 convicted of an offense enumerated in paragraph (a)(2.4) of  
5 this Section that is committed on or after July 15, 1999  
6 (the effective date of Public Act 91-121), or first degree  
7 murder, a Class X felony, criminal sexual assault, felony  
8 criminal sexual abuse, aggravated criminal sexual abuse,  
9 aggravated battery with a firearm, or any predecessor or  
10 successor offenses with the same or substantially the same  
11 elements, or any inchoate offenses relating to the  
12 foregoing offenses. No inmate shall be eligible for the  
13 additional good conduct credit under this paragraph (4) who  
14 (i) has previously received increased good conduct credit  
15 under this paragraph (4) and has subsequently been  
16 convicted of a felony, or (ii) has previously served more  
17 than one prior sentence of imprisonment for a felony in an  
18 adult correctional facility.

19 Educational, vocational, substance abuse and  
20 correctional industry programs under which good conduct  
21 credit may be increased under this paragraph (4) and  
22 paragraph (4.1) of this subsection (a) shall be evaluated  
23 by the Department on the basis of documented standards. The  
24 Department shall report the results of these evaluations to  
25 the Governor and the General Assembly by September 30th of  
26 each year. The reports shall include data relating to the

1           recidivism rate among program participants.

2           Availability of these programs shall be subject to the  
3           limits of fiscal resources appropriated by the General  
4           Assembly for these purposes. Eligible inmates who are  
5           denied immediate admission shall be placed on a waiting  
6           list under criteria established by the Department. The  
7           inability of any inmate to become engaged in any such  
8           programs by reason of insufficient program resources or for  
9           any other reason established under the rules and  
10          regulations of the Department shall not be deemed a cause  
11          of action under which the Department or any employee or  
12          agent of the Department shall be liable for damages to the  
13          inmate.

14          (4.1) The rules and regulations shall also provide that  
15          an additional 60 days of good conduct credit shall be  
16          awarded to any prisoner who passes the high school level  
17          Test of General Educational Development (GED) while the  
18          prisoner is incarcerated. The good conduct credit awarded  
19          under this paragraph (4.1) shall be in addition to, and  
20          shall not affect, the award of good conduct under any other  
21          paragraph of this Section, but shall also be pursuant to  
22          the guidelines and restrictions set forth in paragraph (4)  
23          of subsection (a) of this Section. The good conduct credit  
24          provided for in this paragraph shall be available only to  
25          those prisoners who have not previously earned a high  
26          school diploma or a GED. If, after an award of the GED good



1           conduct credit has been made and the Department determines  
2           that the prisoner was not eligible, then the award shall be  
3           revoked.

4           (4.5) The rules and regulations on early release shall  
5           also provide that when the court's sentencing order  
6           recommends a prisoner for substance abuse treatment and the  
7           crime was committed on or after September 1, 2003 (the  
8           effective date of Public Act 93-354), the prisoner shall  
9           receive no good conduct credit awarded under clause (3) of  
10          this subsection (a) unless he or she participates in and  
11          completes a substance abuse treatment program. The  
12          Director may waive the requirement to participate in or  
13          complete a substance abuse treatment program and award the  
14          good conduct credit in specific instances if the prisoner  
15          is not a good candidate for a substance abuse treatment  
16          program for medical, programming, or operational reasons.  
17          Availability of substance abuse treatment shall be subject  
18          to the limits of fiscal resources appropriated by the  
19          General Assembly for these purposes. If treatment is not  
20          available and the requirement to participate and complete  
21          the treatment has not been waived by the Director, the  
22          prisoner shall be placed on a waiting list under criteria  
23          established by the Department. The Director may allow a  
24          prisoner placed on a waiting list to participate in and  
25          complete a substance abuse education class or attend  
26          substance abuse self-help meetings in lieu of a substance

1 abuse treatment program. A prisoner on a waiting list who  
2 is not placed in a substance abuse program prior to release  
3 may be eligible for a waiver and receive good conduct  
4 credit under clause (3) of this subsection (a) at the  
5 discretion of the Director.

6 (4.6) The rules and regulations on early release shall  
7 also provide that a prisoner who has been convicted of a  
8 sex offense as defined in Section 2 of the Sex Offender  
9 Registration Act shall receive no good conduct credit  
10 unless he or she either has successfully completed or is  
11 participating in sex offender treatment as defined by the  
12 Sex Offender Management Board. However, prisoners who are  
13 waiting to receive such treatment, but who are unable to do  
14 so due solely to the lack of resources on the part of the  
15 Department, may, at the Director's sole discretion, be  
16 awarded good conduct credit at a rate of 4.5 days per  
17 month.

18 (5) Whenever the Department is to release any inmate  
19 earlier than it otherwise would because of a grant of good  
20 conduct credit for meritorious service given at any time  
21 during the term, the Department shall give reasonable  
22 advance notice of the impending release to the State's  
23 Attorney of the county where the prosecution of the inmate  
24 took place.

25 (b) Whenever a person is or has been committed under  
26 several convictions, with separate sentences, the sentences

1 shall be construed under Section 5-8-4 in granting and  
2 forfeiting of good time.

3 (c) The Department shall prescribe rules and regulations  
4 for revoking good conduct credit, or suspending or reducing the  
5 rate of accumulation of good conduct credit for specific rule  
6 violations, during imprisonment. These rules and regulations  
7 shall provide that no inmate may be penalized more than one  
8 year of good conduct credit for any one infraction.

9 When the Department seeks to revoke, suspend or reduce the  
10 rate of accumulation of any good conduct credits for an alleged  
11 infraction of its rules, it shall bring charges therefor  
12 against the prisoner sought to be so deprived of good conduct  
13 credits before the Prisoner Review Board as provided in  
14 subparagraph (a)(4) of Section 3-3-2 of this Code, if the  
15 amount of credit at issue exceeds 30 days or when during any 12  
16 month period, the cumulative amount of credit revoked exceeds  
17 30 days except where the infraction is committed or discovered  
18 within 60 days of scheduled release. In those cases, the  
19 Department of Corrections may revoke up to 30 days of good  
20 conduct credit. The Board may subsequently approve the  
21 revocation of additional good conduct credit, if the Department  
22 seeks to revoke good conduct credit in excess of 30 days.  
23 However, the Board shall not be empowered to review the  
24 Department's decision with respect to the loss of 30 days of  
25 good conduct credit within any calendar year for any prisoner  
26 or to increase any penalty beyond the length requested by the

1 Department.

2 The Director of the Department of Corrections, in  
3 appropriate cases, may restore up to 30 days good conduct  
4 credits which have been revoked, suspended or reduced. Any  
5 restoration of good conduct credits in excess of 30 days shall  
6 be subject to review by the Prisoner Review Board. However, the  
7 Board may not restore good conduct credit in excess of the  
8 amount requested by the Director.

9 Nothing contained in this Section shall prohibit the  
10 Prisoner Review Board from ordering, pursuant to Section  
11 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the  
12 sentence imposed by the court that was not served due to the  
13 accumulation of good conduct credit.

14 (d) If a lawsuit is filed by a prisoner in an Illinois or  
15 federal court against the State, the Department of Corrections,  
16 or the Prisoner Review Board, or against any of their officers  
17 or employees, and the court makes a specific finding that a  
18 pleading, motion, or other paper filed by the prisoner is  
19 frivolous, the Department of Corrections shall conduct a  
20 hearing to revoke up to 180 days of good conduct credit by  
21 bringing charges against the prisoner sought to be deprived of  
22 the good conduct credits before the Prisoner Review Board as  
23 provided in subparagraph (a)(8) of Section 3-3-2 of this Code.  
24 If the prisoner has not accumulated 180 days of good conduct  
25 credit at the time of the finding, then the Prisoner Review  
26 Board may revoke all good conduct credit accumulated by the

1 prisoner.

2 For purposes of this subsection (d):

3 (1) "Frivolous" means that a pleading, motion, or other  
4 filing which purports to be a legal document filed by a  
5 prisoner in his or her lawsuit meets any or all of the  
6 following criteria:

7 (A) it lacks an arguable basis either in law or in  
8 fact;

9 (B) it is being presented for any improper purpose,  
10 such as to harass or to cause unnecessary delay or  
11 needless increase in the cost of litigation;

12 (C) the claims, defenses, and other legal  
13 contentions therein are not warranted by existing law  
14 or by a nonfrivolous argument for the extension,  
15 modification, or reversal of existing law or the  
16 establishment of new law;

17 (D) the allegations and other factual contentions  
18 do not have evidentiary support or, if specifically so  
19 identified, are not likely to have evidentiary support  
20 after a reasonable opportunity for further  
21 investigation or discovery; or

22 (E) the denials of factual contentions are not  
23 warranted on the evidence, or if specifically so  
24 identified, are not reasonably based on a lack of  
25 information or belief.

26 (2) "Lawsuit" means a petition for post-conviction

1 relief under Article 122 of the Code of Criminal Procedure  
2 of 1963, a motion pursuant to Section 116-3 of the Code of  
3 Criminal Procedure of 1963, a habeas corpus action under  
4 Article X of the Code of Civil Procedure or under federal  
5 law (28 U.S.C. 2254), a petition for claim under the Court  
6 of Claims Act or an action under the federal Civil Rights  
7 Act (42 U.S.C. 1983).

8 (e) Nothing in Public Act 90-592 or 90-593 affects the  
9 validity of Public Act 89-404.

10 (Source: P.A. 93-213, eff. 7-18-03; 93-354, eff. 9-1-03; 94-71,  
11 eff. 6-23-05; 94-128, eff. 7-7-05; 94-156, eff. 7-8-05; 94-398,  
12 eff. 8-2-05; 94-491, eff. 8-8-05; 94-744, eff. 5-8-06.)

13 (730 ILCS 5/3-19-15 new)

14 Sec. 3-19-15. Task Force on Transitional Housing for Sex  
15 Offenders.

16 (a) There is created the Task Force on Transitional Housing  
17 Facilities for Sex Offenders. The Task Force shall be composed  
18 of the following members:

19 (1) Two members from the Department of Corrections  
20 appointed by the Director of Corrections;

21 (2) Two members from the Prisoner Review Board  
22 appointed by that Board;

23 (3) Two members of the Senate appointed by the  
24 President of the Senate;

25 (4) Two members of the Senate appointed by the Minority

1       Leader of the Senate;

2           (5) Two members of the House of Representatives  
3       appointed by the Speaker of the House of Representatives;

4           (6) Two members of the House of Representatives  
5       appointed by the Minority Leader of the House of  
6       Representatives; and

7           (7) Two members of the Governor's Office appointed by  
8       the Governor.

9       (b) The Task Force shall study the implementation, cost,  
10       placement, and effectiveness of transitional housing  
11       facilities for sex offenders released from facilities of the  
12       Department of Corrections.

13       (c) The members of the Task Force shall receive no  
14       compensation for their services as members of the Task Force  
15       but may be reimbursed for their actual expenses incurred in  
16       servng on the Task Force from appropriations made to them for  
17       such purpose.

18           (730 ILCS 5/5-8A-6)

19       Sec. 5-8A-6. Electronic monitoring of certain sex  
20       offenders. For a sexual predator subject to electronic home  
21       monitoring under paragraph (7.7) of subsection (a) of Section  
22       3-3-7, the Department of Corrections must use a system that  
23       actively monitors and identifies the offender's current  
24       location and timely reports or records the offender's presence  
25       and that alerts the Department of the offender's presence

1 within a prohibited area described in Sections 11-9.3 and  
2 11-9.4 of the Criminal Code of 1961, in a court order, or as a  
3 condition of the offender's parole, mandatory supervised  
4 release, or extended mandatory supervised release and the  
5 offender's departure from specified geographic limitations. To  
6 the extent that he or she is able to do so, which the  
7 Department of Corrections by rule shall determine, the offender  
8 must pay for the cost of the electronic home monitoring 7  
9 ~~provided funding is appropriated by the General Assembly for~~  
10 ~~this purpose.~~

11 (Source: P.A. 94-988, eff. 1-1-07.)

12 Section 15. The Sex Offender Registration Act is amended by  
13 changing Sections 3, 4, 5, 5-5, 6, 6-5, and 7 as follows:

14 (730 ILCS 150/3) (from Ch. 38, par. 223)

15 Sec. 3. Duty to register.

16 (a) A sex offender, as defined in Section 2 of this Act, or  
17 sexual predator shall, within the time period prescribed in  
18 subsections (b) and (c), register in person and provide  
19 accurate information as required by the Department of State  
20 Police. Such information shall include a current photograph,  
21 current address, current place of employment, the employer's  
22 telephone number, school attended, extensions of the time  
23 period for registering as provided in this Article and, if an  
24 extension was granted, the reason why the extension was granted



1 and the date the sex offender was notified of the extension.  
2 The information shall also include the county of conviction,  
3 license plate numbers for every vehicle registered in the name  
4 of the sex offender, the age of the sex offender at the time of  
5 the commission of the offense, the age of the victim at the  
6 time of the commission of the offense, and any distinguishing  
7 marks located on the body of the sex offender. A person who has  
8 been adjudicated a juvenile delinquent for an act which, if  
9 committed by an adult, would be a sex offense shall register as  
10 an adult sex offender within 10 days after attaining 17 years  
11 of age. The sex offender or sexual predator shall register:

12 (1) with the chief of police in the municipality in  
13 which he or she resides or is temporarily domiciled for a  
14 period of time of 5 or more days, unless the municipality  
15 is the City of Chicago, in which case he or she shall  
16 register at the Chicago Police Department Headquarters; or

17 (2) with the sheriff in the county in which he or she  
18 resides or is temporarily domiciled for a period of time of  
19 5 or more days in an unincorporated area or, if  
20 incorporated, no police chief exists.

21 If the sex offender or sexual predator is employed at or  
22 attends an institution of higher education, he or she shall  
23 register:

24 (i) with the chief of police in the municipality in  
25 which he or she is employed at or attends an institution of  
26 higher education, unless the municipality is the City of

1 Chicago, in which case he or she shall register at the  
2 Chicago Police Department Headquarters; or

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

7 For purposes of this Article, the place of residence or  
8 temporary domicile is defined as any and all places where the  
9 sex offender resides for an aggregate period of time of 5 or  
10 more days during any calendar year. Any person required to  
11 register under this Article who lacks a fixed address or  
12 temporary domicile must notify, in person, the agency of  
13 jurisdiction of his or her last known address within 3 days ~~5~~  
14 ~~days~~ after ceasing to have a fixed residence.

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

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

26 (a-5) An out-of-state student or out-of-state employee

1 shall, within 3 days ~~5 days~~ after beginning school or  
2 employment in this State, register in person and provide  
3 accurate information as required by the Department of State  
4 Police. Such information will include current place of  
5 employment, school attended, and address in state of residence.  
6 The out-of-state student or out-of-state employee shall  
7 register:

8 (1) with the chief of police in the municipality in  
9 which he or she attends school or is employed for a period  
10 of time of 5 or more days or for an aggregate period of  
11 time of more than 30 days during any calendar year, unless  
12 the municipality is the City of Chicago, in which case he  
13 or she shall register at the Chicago Police Department  
14 Headquarters; or

15 (2) with the sheriff in the county in which he or she  
16 attends school or is employed for a period of time of 5 or  
17 more days or for an aggregate period of time of more than  
18 30 days during any calendar year in an unincorporated area  
19 or, if incorporated, no police chief exists.

20 The out-of-state student or out-of-state employee shall  
21 provide accurate information as required by the Department of  
22 State Police. That information shall include the out-of-state  
23 student's current place of school attendance or the  
24 out-of-state employee's current place of employment.

25 (b) Any sex offender, as defined in Section 2 of this Act,  
26 or sexual predator, regardless of any initial, prior, or other

1 registration, shall, within 3 days ~~5 days~~ of beginning school,  
2 or establishing a residence, place of employment, or temporary  
3 domicile in any county, register in person as set forth in  
4 subsection (a) or (a-5).

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

7 (1) Any person registered under the Habitual Child Sex  
8 Offender Registration Act or the Child Sex Offender  
9 Registration Act prior to January 1, 1996, shall be deemed  
10 initially registered as of January 1, 1996; however, this  
11 shall not be construed to extend the duration of  
12 registration set forth in Section 7.

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

17 (2.5) Except as provided in subsection (c) (4), any  
18 person who has not been notified of his or her  
19 responsibility to register shall be notified by a criminal  
20 justice entity of his or her responsibility to register.  
21 Upon notification the person must then register within 3  
22 days ~~5 days~~ of notification of his or her requirement to  
23 register. If notification is not made within the offender's  
24 10 year registration requirement, and the Department of  
25 State Police determines no evidence exists or indicates the  
26 offender attempted to avoid registration, the offender

1 will no longer be required to register under this Act.

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

6 (4) Any person unable to comply with the registration  
7 requirements of this Article because he or she is confined,  
8 institutionalized, or imprisoned in Illinois on or after  
9 January 1, 1996, shall register in person within 3 days ~~5~~  
10 ~~days~~ of discharge, parole or release.

11 (5) The person shall provide positive identification  
12 and documentation that substantiates proof of residence at  
13 the registering address.

14 (6) The person shall pay a \$20 initial registration fee  
15 and a \$10 annual renewal fee. The fees shall be used by the  
16 registering agency for official purposes. The agency shall  
17 establish procedures to document receipt and use of the  
18 funds. The law enforcement agency having jurisdiction may  
19 waive the registration fee if it determines that the person  
20 is indigent and unable to pay the registration fee. Ten  
21 dollars for the initial registration fee and \$5 of the  
22 annual renewal fee shall be used by the registering agency  
23 for official purposes. Ten dollars of the initial  
24 registration fee and \$5 of the annual fee shall be  
25 deposited into the Sex Offender Management Board Fund under  
26 Section 19 of the Sex Offender Management Board Act. Money

1 deposited into the Sex Offender Management Board Fund shall  
2 be administered by the Sex Offender Management Board and  
3 shall be used to fund practices endorsed or required by the  
4 Sex Offender Management Board Act including but not limited  
5 to sex offenders evaluation, treatment, or monitoring  
6 programs that are or may be developed, as well as for  
7 administrative costs, including staff, incurred by the  
8 Board.

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

17 (Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04;  
18 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07.)

19 (730 ILCS 150/4) (from Ch. 38, par. 224)

20 Sec. 4. Discharge of sex offender, as defined in Section 2  
21 of this Act, or sexual predator from Department of Corrections  
22 facility or other penal institution; duties of official in  
23 charge. Any sex offender, as defined in Section 2 of this Act,  
24 or sexual predator, as defined by this Article, who is  
25 discharged, paroled or released from a Department of

1 Corrections facility, a facility where such person was placed  
2 by the Department of Corrections or another penal institution,  
3 and whose liability for registration has not terminated under  
4 Section 7 shall, prior to discharge, parole or release from the  
5 facility or institution, be informed of his or her duty to  
6 register in person within 3 days ~~5 days~~ of release by the  
7 facility or institution in which he or she was confined. The  
8 facility or institution shall also inform any person who must  
9 register that if he or she establishes a residence outside of  
10 the State of Illinois, is employed outside of the State of  
11 Illinois, or attends school outside of the State of Illinois,  
12 he or she must register in the new state within 3 days ~~5 days~~  
13 after establishing the residence, beginning employment, or  
14 beginning school.

15 The facility shall require the person to read and sign such  
16 form as may be required by the Department of State Police  
17 stating that the duty to register and the procedure for  
18 registration has been explained to him or her and that he or  
19 she understands the duty to register and the procedure for  
20 registration. The facility shall further advise the person in  
21 writing that the failure to register or other violation of this  
22 Article shall result in revocation of parole, mandatory  
23 supervised release or conditional release. The facility shall  
24 obtain information about where the person expects to reside,  
25 work, and attend school upon his or her discharge, parole or  
26 release and shall report the information to the Department of

1 State Police. The facility shall give one copy of the form to  
2 the person and shall send one copy to each of the law  
3 enforcement agencies having jurisdiction where the person  
4 expects to reside, work, and attend school upon his or her  
5 discharge, parole or release and retain one copy for the files.  
6 Electronic data files which includes all notification form  
7 information and photographs of sex offenders being released  
8 from an Illinois Department of Corrections facility will be  
9 shared on a regular basis as determined between the Department  
10 of State Police and the Department of Corrections.

11 (Source: P.A. 94-168, eff. 1-1-06.)

12 (730 ILCS 150/5) (from Ch. 38, par. 225)

13 Sec. 5. Release of sex offender, as defined in Section 2 of  
14 this Act, or sexual predator; duties of the Court. Any sex  
15 offender, as defined in Section 2 of this Act, or sexual  
16 predator, as defined by this Article, who is released on  
17 probation or discharged upon payment of a fine because of the  
18 commission of one of the offenses defined in subsection (B) of  
19 Section 2 of this Article, shall, prior to such release be  
20 informed of his or her duty to register under this Article by  
21 the Court in which he or she was convicted. The Court shall  
22 also inform any person who must register that if he or she  
23 establishes a residence outside of the State of Illinois, is  
24 employed outside of the State of Illinois, or attends school  
25 outside of the State of Illinois, he or she must register in



1 the new state within 3 days ~~5 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. 94-168, eff. 1-1-06.)

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

1 facility where he or she was confined shall be informed by the  
2 hospital or treatment facility in which he or she was confined,  
3 prior to discharge or release from the hospital or treatment  
4 facility, of his or her duty to register under this Article.

5 The facility shall require the person to read and sign such  
6 form as may be required by the Department of State Police  
7 stating that the duty to register and the procedure for  
8 registration has been explained to him or her and that he or  
9 she understands the duty to register and the procedure for  
10 registration. The facility shall give one copy of the form to  
11 the person, retain one copy for their records, and forward the  
12 original to the Department of State Police. The facility shall  
13 obtain information about where the person expects to reside,  
14 work, and attend school upon his or her discharge, parole, or  
15 release and shall report the information to the Department of  
16 State Police within 3 days. The facility or institution shall  
17 also inform any person who must register that if he or she  
18 establishes a residence outside of the State of Illinois, is  
19 employed outside of the State of Illinois, or attends school  
20 outside of the State of Illinois, he or she must register in  
21 the new state within 3 days ~~5 days~~ after establishing the  
22 residence, beginning school, or beginning employment. The  
23 Department of State Police shall notify the law enforcement  
24 agencies having jurisdiction where the person expects to  
25 reside, work, and attend school upon his or her release.

26 (Source: P.A. 94-168, eff. 1-1-06.)

1 (730 ILCS 150/6) (from Ch. 38, par. 226)

2 Sec. 6. Duty to report; change of address, school, or  
3 employment; duty to inform. A person who has been adjudicated  
4 to be sexually dangerous or is a sexually violent person and is  
5 later released, or found to be no longer sexually dangerous or  
6 no longer a sexually violent person and discharged, or  
7 convicted of a violation of this Act after July 1, 2005, shall  
8 report in person to the law enforcement agency with whom he or  
9 she last registered no later than 90 days after the date of his  
10 or her last registration and every 90 days thereafter and at  
11 such other times at the request of the law enforcement agency  
12 not to exceed 4 times a year. Any person who lacks a fixed  
13 residence must report weekly, in person, to the appropriate law  
14 enforcement agency where the sex offender is located. Any other  
15 person who is required to register under this Article shall  
16 report in person to the appropriate law enforcement agency with  
17 whom he or she last registered within one year from the date of  
18 last registration and every year thereafter and at such other  
19 times at the request of the law enforcement agency not to  
20 exceed 4 times a year. If any person required to register under  
21 this Article lacks a fixed residence or temporary domicile, he  
22 or she must notify, in person, the agency of jurisdiction of  
23 his or her last known address within 3 days ~~5 days~~ after  
24 ceasing to have a fixed residence and if the offender leaves  
25 the last jurisdiction of residence, he or she, must within 3

1 days ~~48 hours~~ after leaving register in person with the new  
2 agency of jurisdiction. If any other person required to  
3 register under this Article changes his or her residence  
4 address, place of employment, or school, he or she shall report  
5 in person to ~~5~~ the law enforcement agency with whom he or she  
6 last registered of his or her new address, change in  
7 employment, or school and register, in person, with the  
8 appropriate law enforcement agency within the time period  
9 specified in Section 3. The law enforcement agency shall,  
10 within 3 days of the reporting in person by the person required  
11 to register under this Article, notify the Department of State  
12 Police of the new place of residence, change in employment, or  
13 school.

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

1 Department of State Police.

2 (Source: P.A. 93-977, eff. 8-20-04; 94-166, eff. 1-1-06;  
3 94-168, eff. 1-1-06; revised 8-19-05.)

4 (730 ILCS 150/6-5)

5 Sec. 6-5. Out-of-State employee or student; duty to report  
6 change. Every out-of-state student or out-of-state employee  
7 must notify the agency having jurisdiction of any change of  
8 employment or change of educational status, in writing, within  
9 3 days ~~5 days~~ of the change. The law enforcement agency shall,  
10 within 3 days after receiving the notice, enter the appropriate  
11 changes into LEADS.

12 (Source: P.A. 94-168, eff. 1-1-06.)

13 (730 ILCS 150/7) (from Ch. 38, par. 227)

14 Sec. 7. Duration of registration. A person who has been  
15 adjudicated to be sexually dangerous and is later released or  
16 found to be no longer sexually dangerous and discharged, shall  
17 register for the period of his or her natural life. A sexually  
18 violent person or sexual predator shall register for the period  
19 of his or her natural life after conviction or adjudication if  
20 not confined to a penal institution, hospital, or other  
21 institution or facility, and if confined, for the period of his  
22 or her natural life after parole, discharge, or release from  
23 any such facility. Any other person who is required to register  
24 under this Article shall be required to register for a period

1 of 10 years after conviction or adjudication if not confined to  
2 a penal institution, hospital or any other institution or  
3 facility, and if confined, for a period of 10 years after  
4 parole, discharge or release from any such facility. A sex  
5 offender who is allowed to leave a county, State, or federal  
6 facility for the purposes of work release, education, or  
7 overnight visitations shall be required to register within 3  
8 days ~~5 days~~ of beginning such a program. Liability for  
9 registration terminates at the expiration of 10 years from the  
10 date of conviction or adjudication if not confined to a penal  
11 institution, hospital or any other institution or facility and  
12 if confined, at the expiration of 10 years from the date of  
13 parole, discharge or release from any such facility, providing  
14 such person does not, during that period, again become liable  
15 to register under the provisions of this Article. Reconfinement  
16 due to a violation of parole or other circumstances that  
17 relates to the original conviction or adjudication shall extend  
18 the period of registration to 10 years after final parole,  
19 discharge, or release. The Director of State Police, consistent  
20 with administrative rules, shall extend for 10 years the  
21 registration period of any sex offender, as defined in Section  
22 2 of this Act, who fails to comply with the provisions of this  
23 Article. The registration period for any sex offender who fails  
24 to comply with any provision of the Act shall extend the period  
25 of registration by 10 years beginning from the first date of  
26 registration after the violation. If the registration period is

1 extended, the Department of State Police shall send a  
2 registered letter to the law enforcement agency where the sex  
3 offender resides within 3 days after the extension of the  
4 registration period. The sex offender shall report to that law  
5 enforcement agency and sign for that letter. One copy of that  
6 letter shall be kept on file with the law enforcement agency of  
7 the jurisdiction where the sex offender resides and one copy  
8 shall be returned to the Department of State Police.

9 (Source: P.A. 93-979, eff. 8-20-04; 94-166, eff. 1-1-06;  
10 94-168, eff. 1-1-06; revised 8-19-05.)

11 Section 20. The Sex Offender Community Notification Law is  
12 amended by changing Section 120 as follows:

13 (730 ILCS 152/120)

14 Sec. 120. Community notification of sex offenders.

15 (a) The sheriff of the county, except Cook County, shall  
16 disclose to the following the name, address, date of birth,  
17 place of employment, school attended, and offense or  
18 adjudication of all sex offenders required to register under  
19 Section 3 of the Sex Offender Registration Act:

20 (1) The boards of institutions of higher education or  
21 other appropriate administrative offices of each  
22 non-public institution of higher education located in the  
23 county where the sex offender is required to register,  
24 resides, is employed, or is attending an institution of

1 higher education; ~~and~~

2 (2) School boards of public school districts and the  
3 principal or other appropriate administrative officer of  
4 each nonpublic school located in the county where the sex  
5 offender is required to register or is employed; ~~and~~

6 (3) Child care facilities located in the county where  
7 the sex offender is required to register or is employed; ~~and~~

8 (4) Public libraries located in the county where the  
9 sex offender is required to register or is employed;

10 (5) Public housing agencies located in the county where  
11 the sex offender is required to register or is employed;

12 (6) The Illinois Department of Children and Family  
13 Services;

14 (7) Social service agencies providing services to  
15 minors located in the county where the sex offender is  
16 required to register or is employed;

17 (8) Volunteer organizations providing services to  
18 minors located in the county where the sex offender is  
19 required to register or is employed; and

20 (9) Any organization or person who requests  
21 notification located in the county where the sex offender  
22 is required to register or is employed.

23 (a-2) The sheriff of Cook County shall disclose to the  
24 following the name, address, date of birth, place of  
25 employment, school attended, and offense or adjudication of all  
26 sex offenders required to register under Section 3 of the Sex



1 Offender Registration Act:

2 (1) School boards of public school districts and the  
3 principal or other appropriate administrative officer of  
4 each nonpublic school located within the region of Cook  
5 County, as those public school districts and nonpublic  
6 schools are identified in LEADS, other than the City of  
7 Chicago, where the sex offender is required to register or  
8 is employed; ~~and~~

9 (2) Child care facilities located within the region of  
10 Cook County, as those child care facilities are identified  
11 in LEADS, other than the City of Chicago, where the sex  
12 offender is required to register or is employed; ~~and~~

13 (3) The boards of institutions of higher education or  
14 other appropriate administrative offices of each  
15 non-public institution of higher education located in the  
16 county, other than the City of Chicago, where the sex  
17 offender is required to register, resides, is employed, or  
18 attending an institution of higher education; ~~and~~

19 (4) Public libraries located in the county, other than  
20 the City of Chicago, where the sex offender is required to  
21 register, resides, is employed, or attending an  
22 institution of higher education;

23 (5) Public housing agencies located in the county,  
24 other than the City of Chicago, where the sex offender is  
25 required to register, resides, is employed, or attending an  
26 institution of higher education;

1           (6) The Illinois Department of Children and Family  
2           Services;

3           (7) Social service agencies providing services to  
4           minors located in the county, other than the City of  
5           Chicago, where the sex offender is required to register,  
6           resides, is employed, or attending an institution of higher  
7           education;

8           (8) Volunteer organizations providing services to  
9           minors located in the county, other than the City of  
10           Chicago, where the sex offender is required to register,  
11           resides, is employed, or attending an institution of higher  
12           education; and

13           (9) Any organization or person who requests  
14           notification located in the county, other than the City of  
15           Chicago, where the sex offender is required to register,  
16           resides, is employed, or attending an institution of higher  
17           education.

18           (a-3) The Chicago Police Department shall disclose to the  
19 following the name, address, date of birth, place of  
20 employment, school attended, and offense or adjudication of all  
21 sex offenders required to register under Section 3 of the Sex  
22 Offender Registration Act:

23           (1) School boards of public school districts and the  
24 principal or other appropriate administrative officer of  
25 each nonpublic school located in the police district where  
26 the sex offender is required to register or is employed if

1 the offender is required to register or is employed in the  
2 City of Chicago; ~~and~~

3 (2) Child care facilities located in the police  
4 district where the sex offender is required to register or  
5 is employed if the offender is required to register or is  
6 employed in the City of Chicago; ~~and~~

7 (3) The boards of institutions of higher education or  
8 other appropriate administrative offices of each  
9 non-public institution of higher education located in the  
10 police district where the sex offender is required to  
11 register, resides, is employed, or attending an  
12 institution of higher education in the City of Chicago; ~~-~~

13 (4) Public libraries located in the police district  
14 where the sex offender is required to register, resides, is  
15 employed, or attending an institution of higher education  
16 in the City of Chicago;

17 (5) Public housing agencies located in the police  
18 district where the sex offender is required to register,  
19 resides, is employed, or attending an institution of higher  
20 education in the City of Chicago;

21 (6) The Illinois Department of Children and Family  
22 Services;

23 (7) Social service agencies providing services to  
24 minors located in the police district where the sex  
25 offender is required to register, resides, is employed, or  
26 attending an institution of higher education in the City of

1 Chicago;

2 (8) Volunteer organizations providing services to  
3 minors located in the police district where the sex  
4 offender is required to register, resides, is employed, or  
5 attending an institution of higher education in the City of  
6 Chicago; and

7 (9) Any organization or person who requests  
8 notification located in the police district where the sex  
9 offender is required to register, resides, is employed, or  
10 attending an institution of higher education in the City of  
11 Chicago.

12 (a-4) The Department of State Police shall provide a list  
13 of sex offenders required to register to the Illinois  
14 Department of Children and Family Services.

15 (b) The Department of State Police and any law enforcement  
16 agency may disclose, in the Department's or agency's  
17 discretion, the following information to any person likely to  
18 encounter a sex offender, or sexual predator:

19 (1) The offender's name, address, and date of birth.

20 (2) The offense for which the offender was convicted.

21 (3) Adjudication as a sexually dangerous person.

22 (4) The offender's photograph or other such  
23 information that will help identify the sex offender.

24 (5) Offender employment information, to protect public  
25 safety.

26 (c) The name, address, date of birth, offense or

1 adjudication, the county of conviction, license plate numbers  
2 for every vehicle registered in the name of the sex offender,  
3 the age of the sex offender at the time of the commission of  
4 the offense, the age of the victim at the time of the  
5 commission of the offense, and any distinguishing marks located  
6 on the body of the sex offender for sex offenders required to  
7 register under Section 3 of the Sex Offender Registration Act  
8 shall be open to inspection by the public as provided in this  
9 Section. Every municipal police department shall make  
10 available at its headquarters the information on all sex  
11 offenders who are required to register in the municipality  
12 under the Sex Offender Registration Act. The sheriff shall also  
13 make available at his or her headquarters the information on  
14 all sex offenders who are required to register under that Act  
15 and who live in unincorporated areas of the county. Sex  
16 offender information must be made available for public  
17 inspection to any person, no later than 72 hours or 3 business  
18 days from the date of the request. The request must be made in  
19 person, in writing, or by telephone. Availability must include  
20 giving the inquirer access to a facility where the information  
21 may be copied. A department or sheriff may charge a fee, but  
22 the fee may not exceed the actual costs of copying the  
23 information. An inquirer must be allowed to copy this  
24 information in his or her own handwriting. A department or  
25 sheriff must allow access to the information during normal  
26 public working hours. The sheriff or a municipal police

1 department may publish the photographs of sex offenders where  
2 any victim was 13 years of age or younger and who are required  
3 to register in the municipality or county under the Sex  
4 Offender Registration Act in a newspaper or magazine of general  
5 circulation in the municipality or county or may disseminate  
6 the photographs of those sex offenders on the Internet or on  
7 television. The law enforcement agency may make available the  
8 information on all sex offenders residing within any county.

9 (d) The Department of State Police and any law enforcement  
10 agency having jurisdiction may, in the Department's or agency's  
11 discretion, place the information specified in subsection (b)  
12 on the Internet or in other media.

13 (e) (Blank).

14 (f) The administrator of a transitional housing facility  
15 for sex offenders shall comply with the notification procedures  
16 established in paragraph (4) of subsection (b) of Section  
17 3-17-5 of the Unified Code of Corrections.

18 (g) A principal or teacher of a public or private  
19 elementary or secondary school shall notify the parents of  
20 children attending the school during school registration or  
21 during parent-teacher conferences that information about sex  
22 offenders is available to the public as provided in this Act.

23 (Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06;  
24 94-994, eff. 1-1-07.)".