



Sen. William R. Haine

**Filed: 4/11/2011**

09700SB1040sam001

LRB097 04757 RLC 54395 a

1 AMENDMENT TO SENATE BILL 1040

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1040 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Sex Offender Registration Act is amended by  
5 changing Sections 2, 3, 6, 7, 8, and 11 and by adding Section  
6 10.1 as 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, law of another jurisdiction, tribe,  
14 territory, District of Columbia, or foreign country law,  
15 with a sex offense set forth in subsection (B) of this  
16 Section or the attempt to commit an included sex offense,

1           and:

2                   (a) is convicted of such offense or an attempt to  
3                   commit such offense, conspiracy to commit the offense,  
4                   or solicitation to commit the offense; or

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

7                   (c) is found not guilty by reason of insanity  
8                   pursuant to Section 104-25(c) of the Code of Criminal  
9                   Procedure of 1963 of such offense or an attempt to  
10                   commit such offense; or

11                   (d) is the subject of a finding not resulting in an  
12                   acquittal at a hearing conducted pursuant to Section  
13                   104-25(a) of the Code of Criminal Procedure of 1963 for  
14                   the alleged commission or attempted commission of such  
15                   offense; or

16                   (e) is found not guilty by reason of insanity  
17                   following a hearing conducted pursuant to a federal,  
18                   Uniform Code of Military Justice, sister state, or  
19                   foreign country law substantially similar to Section  
20                   104-25(c) of the Code of Criminal Procedure of 1963 of  
21                   such offense or of the attempted commission of such  
22                   offense; or

23                   (f) is the subject of a finding not resulting in an  
24                   acquittal at a hearing conducted pursuant to a federal,  
25                   Uniform Code of Military Justice, sister state, or  
26                   foreign country law substantially similar to Section

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

4 (g) receives a disposition of court supervision,  
5 deferred sentence, deferred adjudication, or a similar  
6 disposition for the offense, an attempt to commit the  
7 offense, conspiracy to commit the offense, and  
8 solicitation to commit the offense; or

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

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

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

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

1 Act of 1987 of committing or attempting to commit an act  
2 which, if committed by an adult, would constitute any of  
3 the offenses specified in item (B), (C), or (C-5) of this  
4 Section or a violation of any substantially similar  
5 federal, Uniform Code of Military Justice, sister state, or  
6 foreign country law.

7 Convictions that result from or are connected with the same  
8 act, or result from offenses committed at the same time, shall  
9 be counted for the purpose of this Article as one conviction.  
10 Any conviction set aside pursuant to law is not a conviction  
11 for purposes of this Article.

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

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

15 (1) A violation, attempted violation of, conspiracy to  
16 commit, or solicitation to commit a violation of any of the  
17 following Sections of the Criminal Code of 1961:

18 10-5.1 (luring a minor) for a second or subsequent  
19 conviction,

20 11-20.1 (child pornography),

21 11-20.3 (aggravated child pornography),

22 11-6 (indecent solicitation of a child),

23 11-9.1 (sexual exploitation of a child),

24 11-9.2 (custodial sexual misconduct),

25 11-9.5 (sexual misconduct with a person with a  
26 disability),

1 11-15.1 (soliciting for a juvenile prostitute),  
2 11-18.1 (patronizing a juvenile prostitute),  
3 11-17.1 (keeping a place of juvenile  
4 prostitution),  
5 11-19.1 (juvenile pimping),  
6 11-19.2 (exploitation of a child),  
7 11-25 (grooming),  
8 11-26 (traveling to meet a minor),  
9 12-13 (criminal sexual assault),  
10 12-14 (aggravated criminal sexual assault),  
11 12-14.1 (predatory criminal sexual assault of a  
12 child),  
13 12-15 (criminal sexual abuse),  
14 12-16 (aggravated criminal sexual abuse),  
15 12-33 (ritualized abuse of a child),  
16 26-4 (unauthorized video recording and live video  
17 transmission), if the victim is under the age of 18.

18 An attempt to commit any of these offenses.

19 (1.5) A violation of any of the following Sections of  
20 the Criminal Code of 1961, when the victim is a person  
21 under 18 years of age, the defendant is not a parent of the  
22 victim, the offense was sexually motivated as defined in  
23 Section 10 of the Sex Offender Management Board Act, and  
24 the offense was committed on or after January 1, 1996:

25 10-1 (kidnapping),

26 10-2 (aggravated kidnapping),

1                   10-3 (unlawful restraint),

2                   10-3.1 (aggravated unlawful restraint).

3                   (1.6) First degree murder under Section 9-1 of the  
4 Criminal Code of 1961, when the victim was a person under  
5 18 years of age and the defendant was at least 17 years of  
6 age at the time of the commission of the offense, provided  
7 the offense was sexually motivated as defined in Section 10  
8 of the Sex Offender Management Board Act.

9                   (1.7) (Blank).

10                  (1.8) A violation or attempted violation of Section  
11 11-11 (sexual relations within families) of the Criminal  
12 Code of 1961, and the offense was committed on or after  
13 June 1, 1997.

14                  (1.9) Child abduction under paragraph (10) of  
15 subsection (b) of Section 10-5 of the Criminal Code of 1961  
16 committed by luring or attempting to lure a child under the  
17 age of 16 into a motor vehicle, building, house trailer, or  
18 dwelling place without the consent of the parent or lawful  
19 custodian of the child for other than a lawful purpose and  
20 the offense was committed on or after January 1, 1998,  
21 provided the offense was sexually motivated as defined in  
22 Section 10 of the Sex Offender Management Board Act.

23                  (1.10) A violation or attempted violation of any of the  
24 following Sections of the Criminal Code of 1961 when the  
25 offense was committed on or after July 1, 1999:

26                   10-4 (forcible detention, if the victim is under 18

1 years of age), provided the offense was sexually  
2 motivated as defined in Section 10 of the Sex Offender  
3 Management Board Act,

4 11-6.5 (indecent solicitation of an adult),

5 11-15 (soliciting for a prostitute, if the victim  
6 is under 18 years of age),

7 11-16 (pandering, if the victim is under 18 years  
8 of age),

9 11-18 (patronizing a prostitute, if the victim is  
10 under 18 years of age),

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

13 (1.11) A violation or attempted violation of any of the  
14 following Sections of the Criminal Code of 1961 when the  
15 offense was committed on or after August 22, 2002:

16 11-9 (public indecency for a third or subsequent  
17 conviction).

18 (1.12) A violation or attempted violation of Section  
19 5.1 of the Wrongs to Children Act (permitting sexual abuse)  
20 when the offense was committed on or after August 22, 2002.

21 (2) A violation of any former law of this State  
22 substantially equivalent to any offense listed in  
23 subsection (B) of this Section.

24 (C) A conviction for an offense of federal law, Uniform  
25 Code of Military Justice, or the law of another state or a  
26 foreign country that is substantially equivalent to any offense

1 listed in subsections (B), (C), (E), and (E-5) of this Section  
2 shall constitute a conviction for the purpose of this Article.  
3 A finding or adjudication as a sexually dangerous person or a  
4 sexually violent person under any federal law, Uniform Code of  
5 Military Justice, or the law of another state or foreign  
6 country that is substantially equivalent to the Sexually  
7 Dangerous Persons Act or the Sexually Violent Persons  
8 Commitment Act shall constitute an adjudication for the  
9 purposes of this Article.

10 (C-1) A violation, attempted violation of, conspiracy to  
11 commit, or solicitation to commit a violation of any of the  
12 following Sections of Title 18 of the U.S. Code:

13 (A) 1591 (sex trafficking of children),

14 (B) 1801 (video voyeurism of a minor),

15 (C) 2241 (aggravated sexual abuse),

16 (D) 2242 (sexual abuse),

17 (E) 2243 (sexual abuse of a minor or ward),

18 (F) 2244 (abusive sexual contact),

19 (G) 2245 (offenses resulting in death),

20 (H) 2251 (sexual exploitation of children),

21 (I) 2251A (selling or buying of children),

22 (J) 2252 (material involving the sexual exploitation  
23 of minors),

24 (K) 2252A (material containing child pornography),

25 (L) 2252B (misleading domain names on the Internet),

26 (M) 2252C (misleading words or digital images on the



1 Internet),

2 (N) 2260 (production of sexually explicit depictions  
3 of a minor for import into the United States),

4 (O) 2421 (transportation of a minor for illegal sexual  
5 activity),

6 (P) 2422 (coercion and enticement of a minor for  
7 illegal sexual activity),

8 (Q) 2423 (transportation of minors for illegal sexual  
9 activity, travel with the intent to engage in illicit  
10 sexual conduct with a minor, engaging in illicit sexual  
11 conduct in foreign places),

12 (R) 2424 (failure to file a factual statement about an  
13 alien individual),

14 (S) 2425 (transmitting information about a minor to  
15 further criminal sexual conduct),

16 (T) A violation of any former federal law substantially  
17 equivalent to any offense in this subsection (C-1).

18 (C-5) A person at least 17 years of age at the time of the  
19 commission of the offense who is convicted of first degree  
20 murder under Section 9-1 of the Criminal Code of 1961, against  
21 a person under 18 years of age, shall be required to register  
22 for natural life. A conviction for an offense of federal,  
23 Uniform Code of Military Justice, sister state, or foreign  
24 country law that is substantially equivalent to any offense  
25 listed in subsection (C-5) of this Section shall constitute a  
26 conviction for the purpose of this Article. This subsection

1 (C-5) applies to a person who committed the offense before June  
2 1, 1996 only if the person is incarcerated in an Illinois  
3 Department of Corrections facility on August 20, 2004 (the  
4 effective date of Public Act 93-977).

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

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

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

22 (1) Convicted for an offense, conspiracy to commit the  
23 offense, or solicitation to commit the offense of federal,  
24 Uniform Code of Military Justice, sister state, or foreign  
25 country law that is substantially equivalent to any offense  
26 listed in subsection (E) or (E-5) of this Section shall

1 constitute a conviction for the purpose of this Article.  
2 Convicted of a violation or attempted violation of any of  
3 the following Sections of the Criminal Code of 1961, if the  
4 conviction occurred after July 1, 1999:

5 11-17.1 (keeping a place of juvenile  
6 prostitution),

7 11-19.1 (juvenile pimping),

8 11-19.2 (exploitation of a child),

9 11-20.1 (child pornography),

10 11-20.3 (aggravated child pornography),

11 12-13 (criminal sexual assault),

12 12-14 (aggravated criminal sexual assault),

13 12-14.1 (predatory criminal sexual assault of a  
14 child),

15 12-16 (aggravated criminal sexual abuse),

16 12-33 (ritualized abuse of a child);

17 (2) (blank);

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

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

26 (5) convicted of a second or subsequent offense which

1 requires registration pursuant to this Act. The conviction  
2 for the second or subsequent offense must have occurred  
3 after July 1, 1999. For purposes of this paragraph (5),  
4 "convicted" shall include a conviction under any  
5 substantially similar Illinois, federal, Uniform Code of  
6 Military Justice, sister state, or foreign country law; ~~or~~

7 (6) convicted of a second or subsequent offense of  
8 luring a minor under Section 10-5.1 of the Criminal Code of  
9 1961; or -

10 (7) a violation of any of the following Sections of  
11 Title 18 of the U.S. Code:

12 2241 (aggravated sexual abuse),

13 2242 (sexual abuse),

14 2244 (abusive sexual contact).

15 (E-5) As used in this Article, "sexual predator" also means  
16 a person convicted of a violation, ~~or~~ attempted violation, ~~or~~  
17 conspiracy to commit the offense, or solicitation to commit the  
18 offense of any of the following Sections of the Criminal Code  
19 of 1961:

20 (1) Section 9-1 (first degree murder, when the victim  
21 was a person under 18 years of age and the defendant was at  
22 least 17 years of age at the time of the commission of the  
23 offense, provided the offense was sexually motivated as  
24 defined in Section 10 of the Sex Offender Management Board  
25 Act);

26 (2) Section 11-9.5 (sexual misconduct with a person

1 with a disability);

2 (3) when the victim is a person under 18 years of age,  
3 the defendant is not a parent of the victim, the offense  
4 was sexually motivated as defined in Section 10 of the Sex  
5 Offender Management Board Act, and the offense was  
6 committed on or after January 1, 1996: (A) Section 10-1  
7 (kidnapping), (B) Section 10-2 (aggravated kidnapping),  
8 (C) Section 10-3 (unlawful restraint), and (D) Section  
9 10-3.1 (aggravated unlawful restraint); and

10 (4) Section 10-5(b)(10) (child abduction committed by  
11 luring or attempting to lure a child under the age of 16  
12 into a motor vehicle, building, house trailer, or dwelling  
13 place without the consent of the parent or lawful custodian  
14 of the child for other than a lawful purpose and the  
15 offense was committed on or after January 1, 1998, provided  
16 the offense was sexually motivated as defined in Section 10  
17 of the Sex Offender Management Board Act).

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

25 (G) As used in this Article, "out-of-state employee" means  
26 any sex offender, as defined in this Section, or sexual

1 predator who works in Illinois, regardless of whether the  
2 individual receives payment for services performed, for a  
3 period of time of 10 or more days or for an aggregate period of  
4 time of 30 or more days during any calendar year. Persons who  
5 operate motor vehicles in the State accrue one day of  
6 employment time for any portion of a day spent in Illinois.

7 (H) As used in this Article, "school" means any public or  
8 private educational institution, including, but not limited  
9 to, any elementary or secondary school, trade or professional  
10 institution, or institution of higher education.

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

14 (J) As used in this Article, "Internet protocol address"  
15 means the string of numbers by which a location on the Internet  
16 is identified by routers or other computers connected to the  
17 Internet.

18 (K) As used in this Article, "temporary domicile" means any  
19 and all places where the sex offender resides for an aggregate  
20 period of time of 3 or more days during any calendar year.

21 (J) As used in this Article, "conviction" means any  
22 conviction of any such offense, an attempt to commit such  
23 offense, conspiracy to commit the offense, solicitation to  
24 commit the offense, or adjudication.

25 (Source: P.A. 95-331, eff. 8-21-07; 95-579, eff. 6-1-08;  
26 95-625, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.

1 8-21-08; 96-301, eff. 8-11-09; 96-1089, eff. 1-1-11.)

2 (730 ILCS 150/3)

3 Sec. 3. Duty to register.

4 (a) A sex offender, as defined in Section 2 of this Act, or  
5 sexual predator shall, within the time period prescribed in  
6 subsections (b) and (c), register in person and provide  
7 accurate information as required by the Department of State  
8 Police. Such information shall include a current photograph,  
9 current address, temporary domicile information (including  
10 address of temporary domicile and dates of temporary domicile),  
11 current place of employment, the sex offender's or sexual  
12 predator's telephone number, including cellular telephone  
13 number, the employer's telephone number, day labor employment  
14 information, school attended, telephone numbers (including  
15 land line telephone number, cellular telephone numbers, and  
16 voice over Internet Protocol numbers), all e-mail addresses,  
17 instant messaging identities, chat room identities, and other  
18 Internet communications identities that the sex offender uses  
19 or plans to use, all Uniform Resource Locators (URLs)  
20 registered or used by the sex offender, all blogs and other  
21 Internet sites maintained by the sex offender or to which the  
22 sex offender has uploaded any content or posted any messages or  
23 information, ~~extensions of the time period for registering as~~  
24 ~~provided in this Article and, if an extension was granted, the~~  
25 ~~reason why the extension was granted and the date the sex~~

1 ~~offender was notified of the extension.~~ The information shall  
2 also include a copy of the terms and conditions of parole or  
3 release signed by the sex offender and given to the sex  
4 offender by his or her supervising officer, the county of  
5 conviction, license plate numbers and registration number for  
6 every land, aircraft or watercraft vehicle owned or operated by  
7 ~~registered in the name of~~ the sex offender, the age of the sex  
8 offender at the time of the commission of the offense, the age  
9 of the victim at the time of the commission of the offense, and  
10 any distinguishing marks located on the body of the sex  
11 offender. The information shall also include any nicknames,  
12 aliases, pseudonyms, ethnic or tribal names which the offender  
13 is commonly known. A photocopy of a valid driver's license or  
14 identification card must also be provided at the time of  
15 registration. Passports, immigration documents, and any  
16 occupational licenses shall also be submitted. A sex offender  
17 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the  
18 Criminal Code of 1961 shall provide all Internet protocol (IP)  
19 addresses in his or her residence, registered in his or her  
20 name, accessible at his or her place of employment, or  
21 otherwise under his or her control or custody. If the sex  
22 offender is a child sex offender as defined in Section 11-9.3  
23 or 11-9.4 of the Criminal Code of 1961, the sex offender shall  
24 report to the registering agency whether he or she is living in  
25 a household with a child under 18 years of age who is not his or  
26 her own child, provided that his or her own child is not the



1 victim of the sex offense. The sex offender or sexual predator  
2 shall register:

3 (1) with the chief of police in the municipality in  
4 which he or she resides or is temporarily domiciled for a  
5 period of time of 3 or more days, unless the municipality  
6 is the City of Chicago, in which case he or she shall  
7 register at the Chicago Police Department Headquarters; or

8 (2) with the sheriff in the county in which he or she  
9 resides or is temporarily domiciled for a period of time of  
10 3 or more days in an unincorporated area or, if  
11 incorporated, no police chief exists.

12 If the sex offender or sexual predator is employed at or  
13 attends an institution of higher education, he or she shall  
14 register:

15 (i) with the chief of police in the municipality in  
16 which he or she is employed at or attends an institution of  
17 higher education, unless the municipality is the City of  
18 Chicago, in which case he or she shall register at the  
19 Chicago Police Department Headquarters; or

20 (ii) with the sheriff in the county in which he or she  
21 is employed or attends an institution of higher education  
22 located in an unincorporated area, or if incorporated, no  
23 police chief exists.

24 For purposes of this Article, the place of residence or  
25 temporary domicile is defined as any and all places where the  
26 sex offender resides for an aggregate period of time of 3 or

1 more days during any calendar year. Any person required to  
2 register under this Article who lacks a fixed address or  
3 temporary domicile must notify, in person, the agency of  
4 jurisdiction of his or her last known address within 3 days  
5 after ceasing to have a fixed residence.

6 A sex offender or sexual predator who is temporarily absent  
7 from his or her current address of registration for 3 or more  
8 days shall notify the law enforcement agency having  
9 jurisdiction of his or her current registration, including the  
10 itinerary for travel, in the manner provided in Section 6 of  
11 this Act for notification to the law enforcement agency having  
12 jurisdiction of change of address.

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

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

24 (a-5) An out-of-state student or out-of-state employee  
25 shall, within 3 days after beginning school or employment in  
26 this State, register in person and provide accurate information

1 as required by the Department of State Police. Such information  
2 will include current place of employment, school attended, and  
3 address in state of residence. A sex offender convicted under  
4 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code  
5 of 1961 shall provide all Internet protocol (IP) addresses in  
6 his or her residence, registered in his or her name, accessible  
7 at his or her place of employment, or otherwise under his or  
8 her control or custody. The out-of-state student or  
9 out-of-state employee shall register:

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

17 (2) with the sheriff in the county in which he or she  
18 attends school or is employed for a period of time of 5 or  
19 more days or for an aggregate period of time of more than  
20 30 days during any calendar year in an unincorporated area  
21 or, if incorporated, no police chief exists.

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

1           (a-10) Any law enforcement agency registering sex  
2 offenders or sexual predators in accordance with subsections  
3 (a) or (a-5) of this Section shall forward to the Attorney  
4 General a copy of sex offender registration forms from persons  
5 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the  
6 Criminal Code of 1961, including periodic and annual  
7 registrations under Section 6 of this Act.

8           (b) Any sex offender, as defined in Section 2 of this Act,  
9 or sexual predator, regardless of any initial, prior, or other  
10 registration, shall, within 3 days of beginning school, or  
11 establishing a residence, place of employment, or temporary  
12 domicile in any county, register in person as set forth in  
13 subsection (a) or (a-5).

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

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

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

26           (2.5) Except as provided in subsection (c)(4), any

1 person who has not been notified of his or her  
2 responsibility to register shall be notified by a criminal  
3 justice entity of his or her responsibility to register.  
4 Upon notification the person must then register within 3  
5 days of notification of his or her requirement to register.  
6 If notification is not made within the offender's 10 year  
7 registration requirement, and the Department of State  
8 Police determines no evidence exists or indicates the  
9 offender attempted to avoid registration, the offender  
10 will no longer be required to register under this Act.

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

15 (4) Any person unable to comply with the registration  
16 requirements of this Article because he or she is confined,  
17 institutionalized, or imprisoned in Illinois on or after  
18 January 1, 1996, shall register in person within 3 days of  
19 discharge, parole or release.

20 (5) The person shall provide positive identification  
21 and documentation that substantiates proof of residence at  
22 the registering address.

23 (6) The person shall pay a \$100 initial registration  
24 fee and a \$100 annual renewal fee. The fees shall be used  
25 by the registering agency for official purposes. The agency  
26 shall establish procedures to document receipt and use of

1 the funds. The law enforcement agency having jurisdiction  
2 may waive the registration fee if it determines that the  
3 person is indigent and unable to pay the registration fee.  
4 Thirty dollars for the initial registration fee and \$30 of  
5 the annual renewal fee shall be used by the registering  
6 agency for official purposes. Ten dollars of the initial  
7 registration fee and \$10 of the annual fee shall be  
8 deposited into the Sex Offender Management Board Fund under  
9 Section 19 of the Sex Offender Management Board Act. Money  
10 deposited into the Sex Offender Management Board Fund shall  
11 be administered by the Sex Offender Management Board and  
12 shall be used to fund practices endorsed or required by the  
13 Sex Offender Management Board Act including but not limited  
14 to sex offenders evaluation, treatment, or monitoring  
15 programs that are or may be developed, as well as for  
16 administrative costs, including staff, incurred by the  
17 Board. Thirty dollars of the initial registration fee and  
18 \$30 of the annual renewal fee shall be deposited into the  
19 Sex Offender Registration Fund and shall be used by the  
20 Department of State Police to maintain and update the  
21 Illinois State Police Sex Offender Registry. Thirty  
22 dollars of the initial registration fee and \$30 of the  
23 annual renewal fee shall be deposited into the Attorney  
24 General Sex Offender Awareness, Training, and Education  
25 Fund. Moneys deposited into the Fund shall be used by the  
26 Attorney General to administer the I-SORT program and to

1 alert and educate the public, victims, and witnesses of  
2 their rights under various victim notification laws and for  
3 training law enforcement agencies, State's Attorneys, and  
4 medical providers of their legal duties concerning the  
5 prosecution and investigation of sex offenses.

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

14 (Source: P.A. 95-229, eff. 8-16-07; 95-579, eff. 6-1-08;  
15 95-640, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.  
16 8-21-08; 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11; 96-1097,  
17 eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff. 1-1-11;  
18 revised 9-2-10.)

19 (730 ILCS 150/6)

20 Sec. 6. Duty to report; change of address, school, or  
21 employment; duty to inform. A person who has been adjudicated  
22 to be a sexually dangerous person or is a sexually violent  
23 person and is later released, or found to be no longer sexually  
24 dangerous or no longer a sexually violent person and  
25 discharged, or convicted of a violation of this Act or any

1 federal failure to register offense or any other jurisdiction's  
2 registration Act after July 1, 2005 or is a sexual predator,  
3 shall report in person to the law enforcement agency with whom  
4 he or she last registered no later than 90 days after the date  
5 of his or her last registration and every 90 days thereafter  
6 and at such other times at the request of the law enforcement  
7 agency not to exceed 4 times a year. Such sexually dangerous or  
8 sexually violent person must report all new or changed e-mail  
9 addresses, all new or changed instant messaging identities, all  
10 new or changed chat room identities, and all other new or  
11 changed Internet communications identities that the sexually  
12 dangerous or sexually violent person uses or plans to use, all  
13 new or changed Uniform Resource Locators (URLs) registered or  
14 used by the sexually dangerous or sexually violent person, and  
15 all new or changed blogs and other Internet sites maintained by  
16 the sexually dangerous or sexually violent person or to which  
17 the sexually dangerous or sexually violent person has uploaded  
18 any content or posted any messages or information. Any person  
19 who lacks a fixed residence must report weekly, in person, to  
20 the appropriate law enforcement agency where the sex offender  
21 is located. Any other person who is required to register under  
22 this Article shall report in person to the appropriate law  
23 enforcement agency with whom he or she last registered within  
24 one year from the date of last registration and every year  
25 thereafter and at such other times at the request of the law  
26 enforcement agency not to exceed 4 times a year. If any person



1 required to register under this Article lacks a fixed residence  
2 or temporary domicile, he or she must notify, in person, the  
3 agency of jurisdiction of his or her last known address within  
4 3 days after ceasing to have a fixed residence and if the  
5 offender leaves the last jurisdiction of residence, he or she,  
6 must within 3 days after leaving register in person with the  
7 new agency of jurisdiction. If any other person required to  
8 register under this Article changes his or her residence  
9 address, telephone numbers, place of employment, telephone  
10 number, cellular telephone number, or school, he or she shall  
11 report in person, to the law enforcement agency with whom he or  
12 she last registered, his or her new address, change in  
13 employment, telephone number, cellular telephone number, or  
14 school, all new or changed e-mail addresses, all new or changed  
15 instant messaging identities, all new or changed chat room  
16 identities, and all other new or changed Internet  
17 communications identities that the sex offender uses or plans  
18 to use, all new or changed Uniform Resource Locators (URLs)  
19 registered or used by the sex offender, and all new or changed  
20 blogs and other Internet sites maintained by the sex offender  
21 or to which the sex offender has uploaded any content or posted  
22 any messages or information, and register, in person, with the  
23 appropriate law enforcement agency within the time period  
24 specified in Section 3. If the sex offender is a child sex  
25 offender as defined in Section 11-9.3 or 11-9.4 of the Criminal  
26 Code of 1961, the sex offender shall within 3 days after

1 beginning to reside in a household with a child under 18 years  
2 of age who is not his or her own child, provided that his or her  
3 own child is not the victim of the sex offense, report that  
4 information to the registering law enforcement agency. The law  
5 enforcement agency shall, within 3 days of the reporting in  
6 person by the person required to register under this Article,  
7 notify the Department of State Police of the new place of  
8 residence, change in employment, telephone number, cellular  
9 telephone number, or school.

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

24 (Source: P.A. 95-229, eff. 8-16-07; 95-331, eff. 8-21-07;  
25 95-640, eff. 6-1-08; 95-876, eff. 8-21-08; 96-1094, eff.  
26 1-1-11; 96-1104, eff. 1-1-11; revised 9-2-10.)

1 (730 ILCS 150/7) (from Ch. 38, par. 227)

2 Sec. 7. Duration of registration. A person who has been  
3 adjudicated to be sexually dangerous and is later released or  
4 found to be no longer sexually dangerous and discharged, shall  
5 register for the period of his or her natural life. A sexually  
6 violent person or sexual predator shall register for the period  
7 of his or her natural life after conviction or adjudication if  
8 not confined to a penal institution, hospital, or other  
9 institution or facility, and if confined, for the period of his  
10 or her natural life after parole, discharge, or release from  
11 any such facility. A person who becomes subject to registration  
12 under this Article who has previously been subject to  
13 registration under this Article or under the Child Murderer and  
14 Violent Offender Against Youth Registration Act or similar  
15 registration requirements of other jurisdictions shall  
16 register for the period of his or her natural life if not  
17 confined to a penal institution, hospital, or other institution  
18 or facility, and if confined, for the period of his or her  
19 natural life after parole, discharge, or release from any such  
20 facility. Any ~~other~~ person who is required to register under  
21 this Article who is convicted or adjudicated of a misdemeanor  
22 sex offense shall be required to register for a period of 15 ~~10~~  
23 years after conviction or adjudication if not confined to a  
24 penal institution, hospital or any other institution or  
25 facility, and if confined, for a period of 15 ~~10~~ years after

1 parole, discharge or release from any such facility. Any other  
2 person who is required to register under this Article shall be  
3 required to register for a period of 25 years after conviction  
4 or adjudication if not confined to a penal institution,  
5 hospital or any other institution or facility, and if confined,  
6 for a period of 25 years after parole, discharge or release  
7 from any such facility. A sex offender who is allowed to leave  
8 a county, State, or federal facility for the purposes of work  
9 release, education, or overnight visitations shall be required  
10 to register within 3 days of beginning such a program.  
11 ~~Liability for registration terminates at the expiration of 10~~  
12 ~~years from the date of conviction or adjudication if not~~  
13 ~~confined to a penal institution, hospital or any other~~  
14 ~~institution or facility and if confined, at the expiration of~~  
15 ~~10 years from the date of parole, discharge or release from any~~  
16 ~~such facility, providing such person does not, during that~~  
17 ~~period, again become liable to register under the provisions of~~  
18 ~~this Article.~~ Reconfinement due to a violation of parole or  
19 other circumstances that relates to the original conviction or  
20 adjudication shall extend the period of registration to ~~10~~  
21 ~~years~~ after final parole, discharge, or release. Reconfinement  
22 due to a violation of parole or other circumstances that do not  
23 relate to the original conviction or adjudication shall toll  
24 the running of the balance of the ~~10-year~~ period of  
25 registration, which shall not commence running until after  
26 final parole, discharge, or release. ~~The Director of State~~

1 ~~Police, consistent with administrative rules, shall extend for~~  
2 ~~10 years the registration period of any sex offender, as~~  
3 ~~defined in Section 2 of this Act, who fails to comply with the~~  
4 ~~provisions of this Article.~~ The registration period for any sex  
5 offender who is convicted of a violation of this Act, federal  
6 registration laws or any jurisdiction's registration laws  
7 shall register for the period of his or her natural life after  
8 conviction or adjudication for the violation if not confined to  
9 a penal institution, hospital, or other institution or  
10 facility, and if confined, for the period of his or her natural  
11 life after parole, discharge, or release from any such facility  
12 ~~fails to comply with any provision of the Act shall extend the~~  
13 ~~period of registration by 10 years beginning from the first~~  
14 ~~date of registration after the violation. If the registration~~  
15 ~~period is extended, the Department of State Police shall send a~~  
16 ~~registered letter to the law enforcement agency where the sex~~  
17 ~~offender resides within 3 days after the extension of the~~  
18 ~~registration period. The sex offender shall report to that law~~  
19 ~~enforcement agency and sign for that letter. One copy of that~~  
20 ~~letter shall be kept on file with the law enforcement agency of~~  
21 ~~the jurisdiction where the sex offender resides and one copy~~  
22 ~~shall be returned to the Department of State Police.~~

23 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 95-169,  
24 eff. 8-14-07; 95-331, eff. 8-21-07; 95-513, eff. 6-1-08;  
25 95-640, eff. 6-1-08; 95-876, eff. 8-21-08.)

1 (730 ILCS 150/8) (from Ch. 38, par. 228)

2 Sec. 8. Registration Requirements. Registration as  
3 required by this Article shall consist of a statement in  
4 writing signed by the person giving the information that is  
5 required by the Department of State Police, which ~~shall~~ may  
6 include the fingerprints, palm prints (subject to  
7 appropriation of funding by the General Assembly) and must  
8 include a current photograph of the person, to be updated at  
9 each registration ~~annually~~. If the sex offender is a child sex  
10 offender as defined in Section 11-9.3 or 11-9.4 of the Criminal  
11 Code of 1961, he or she shall sign a statement that he or she  
12 understands that according to Illinois law as a child sex  
13 offender he or she may not reside within 500 feet of a school,  
14 park, or playground. The offender may also not reside within  
15 500 feet of a facility providing services directed exclusively  
16 toward persons under 18 years of age unless the sex offender  
17 meets specified exemptions. ~~The registration information must~~  
18 ~~include whether the person is a sex offender as defined in the~~  
19 ~~Sex Offender Community Notification Law.~~ Within 3 days, the  
20 registering law enforcement agency shall forward any required  
21 information to the Department of State Police. The registering  
22 law enforcement agency shall enter the information into the Law  
23 Enforcement Agencies Data System (LEADS) as provided in  
24 Sections 6 and 7 of the Intergovernmental Missing Child  
25 Recovery Act of 1984.

26 (Source: P.A. 93-979, eff. 8-20-04; 94-166, eff. 1-1-06;

1 94-945, eff. 6-27-06.)

2 (730 ILCS 150/10.1 new)

3 Sec. 10.1. Non-Compliant Sex Offenders.

4 (a) If the registering law enforcement agency determines a  
5 sex offender or juvenile sex offender to be non-compliant with  
6 the registration requirements under this Act, the agency shall:

7 (1) Update LEADS to reflect the sex offender or  
8 juvenile sex offender's non-complaint status.

9 (2) Notify the Department of State Police within 3  
10 calendar days of determining a sex offender or juvenile sex  
11 offender is non-compliant.

12 (3) Make reasonable efforts to locate the  
13 non-complaint sex offender or juvenile sex offender.

14 (4) If unsuccessful in locating the non-complaint sex  
15 offender or juvenile sex offender, attempt to secure an  
16 arrest warrant based on his or her failure to comply with  
17 requirements of this Act and enter the sex offender or  
18 juvenile sex offender into the National Crime Information  
19 Center Wanted Person File.

20 (b) The Department of State Police must, within 3 calendar  
21 days of receiving notice of a non-complaint sex offender or  
22 juvenile sex offender:

23 (1) Ensure that the sex offender or juvenile sex  
24 offender's status in LEADS is updated to reflect his or her  
25 non-compliant status.

1           (2) Provide notice to the United States Marshals  
2           Service of the sex offender or juvenile sex offender's  
3           non-compliance and any identifying information as may be  
4           requested by the United States Marshals Service.

5           (3) Provide assistance to Illinois law enforcement  
6           agencies to locate and apprehend non-compliant sex  
7           offenders.

8           (4) Update the Public Adam Walsh Sex Offender Registry  
9           regarding sex offenders or registry-mandated juvenile sex  
10           offenders.

11           (5) Send updated information to the National Sex  
12           Offender Registry regarding sex offenders or  
13           registry-mandated juvenile sex offenders.

14           (c) If the Department of State Police receives notice from  
15           another jurisdiction that a sex offender or juvenile sex  
16           offender intends to reside, be employed, or attend school in  
17           Illinois and that offender fails to register as required in  
18           this Act, the Department of State Police must inform the  
19           jurisdiction that provided the notification that the sex  
20           offender failed to appear for registration.

21           (730 ILCS 150/11)

22           Sec. 11. Sex offender registration fund. There is created  
23           the Sex Offender Registration Fund. Moneys in the Fund shall be  
24           used to cover costs incurred by the criminal justice system to  
25           administer this Article. The Department of State Police shall



1 establish and promulgate rules and procedures regarding the  
2 administration of this Fund. The moneys deposited into this  
3 Fund shall be used by the Department of State Police to  
4 maintain and update the Illinois State Police Sex Offender  
5 Registry and ~~Fifty percent of the moneys in the Fund shall be~~  
6 ~~allocated by the Department for sheriffs' offices and police~~  
7 ~~departments. The remaining moneys in the Fund shall be~~  
8 ~~allocated to the Illinois State Police Sex Offender~~  
9 ~~Registration Unit~~ for education and administration of any  
10 Section of the Act.

11 (Source: P.A. 93-979, eff. 8-20-04.)".