

# HB3344



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

**HB3344**

by Rep. John M. Cabello

#### SYNOPSIS AS INTRODUCED:

730 ILCS 148/10  
730 ILCS 148/80

Amends the Arsonist Registration Act. Provides that the arsonist registration fees shall be used by the registering agency for paying the costs of police training (rather than official purposes). Provides that the Act applies throughout the State to arsonists who reside, are employed, or attend school anywhere in this State (rather than the City of Chicago until the Department of State Police establishes I-CLEAR throughout the State).

LRB099 08932 RLC 29105 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Arsonist Registration Act is amended by  
5 changing Sections 10 and 80 as follows:

6 (730 ILCS 148/10)

7 Sec. 10. Duty to register.

8 (a) An arsonist shall, within the time period prescribed in  
9 subsections (b) and (c), register in person and provide  
10 accurate information as required by the Department of State  
11 Police. Such information shall include current address,  
12 current place of employment, and school attended. The arsonist  
13 shall register:

14 (1) with the chief of police in each of the  
15 municipalities in which he or she attends school, is  
16 employed, resides or is temporarily domiciled for a period  
17 of time of 10 or more days, unless the municipality is the  
18 City of Chicago, in which case he or she shall register at  
19 the Chicago Police Department Headquarters; or

20 (2) with the sheriff in each of the counties in which  
21 he or she attends school, is employed, resides or is  
22 temporarily domiciled in an unincorporated area or, if  
23 incorporated, no police chief exists. For purposes of this

1 Act, the place of residence or temporary domicile is  
2 defined as any and all places where the arsonist resides  
3 for an aggregate period of time of 10 or more days during  
4 any calendar year. The arsonist shall provide accurate  
5 information as required by the Department of State Police.  
6 That information shall include the arsonist's current  
7 place of employment.

8 (a-5) An out-of-state student or out-of-state employee  
9 shall, within 10 days after beginning school or employment in  
10 this State, register in person and provide accurate information  
11 as required by the Department of State Police. Such information  
12 must include current place of employment, school attended, and  
13 address in state of residence:

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

21 (2) with the sheriff in each of the counties in which  
22 he or she attends school or is employed for a period of  
23 time of 10 or more days or for an aggregate period of time  
24 of more than 30 days during any calendar year in an  
25 unincorporated area or, if incorporated, no police chief  
26 exists. The out-of-state student or out-of-state employee

1 shall provide accurate information as required by the  
2 Department of State Police. That information shall include  
3 the out-of-state student's current place of school  
4 attendance or the out-of-state employee's current place of  
5 employment.

6 (b) An arsonist as defined in Section 5 of this Act,  
7 regardless of any initial, prior, or other registration, shall,  
8 within 10 days of beginning school, or establishing a  
9 residence, place of employment, or temporary domicile in any  
10 county, register in person as set forth in subsection (a) or  
11 (a-5).

12 (c) The registration for any person required to register  
13 under this Act shall be as follows:

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

25 (2) Except as provided in paragraph (3) of this  
26 subsection (c), any person convicted on or after the

1 effective date of this Act shall register in person within  
2 10 days after the entry of the sentencing order based upon  
3 his or her conviction.

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

9 (4) The person shall provide positive identification  
10 and documentation that substantiates proof of residence at  
11 the registering address.

12 (5) The person shall pay a \$10 initial registration fee  
13 and a \$5 annual renewal fee. The fees shall be used by the  
14 registering agency for paying the costs of police training  
15 ~~official purposes~~. The agency shall establish procedures  
16 to document receipt and use of the funds. The law  
17 enforcement agency having jurisdiction may waive the  
18 registration fee if it determines that the person is  
19 indigent and unable to pay the registration fee.

20 (d) Within 10 days after obtaining or changing employment,  
21 a person required to register under this Section must report,  
22 in person or in writing to the law enforcement agency having  
23 jurisdiction, the business name and address where he or she is  
24 employed. If the person has multiple businesses or work  
25 locations, every business and work location must be reported to  
26 the law enforcement agency having jurisdiction.

1 (Source: P.A. 93-949, eff. 1-1-05.)

2 (730 ILCS 148/80)

3 Sec. 80. Applicability. This ~~Until the Department of State~~  
4 ~~Police establishes I CLEAR throughout this State, this Act~~  
5 ~~applies only to arsonists who reside, are employed, or attend~~  
6 ~~school within the City of Chicago. Once I CLEAR is established~~  
7 ~~throughout this State, this Act applies throughout the State to~~  
8 arsonists who reside, are employed, or attend school anywhere  
9 in this State. ~~Any duties imposed upon the Department of State~~  
10 ~~Police by this Act are subject to appropriation and shall not~~  
11 ~~commence until I CLEAR is implemented throughout this State and~~  
12 ~~until such time, those duties shall be imposed upon the City of~~  
13 ~~Chicago.~~

14 (Source: P.A. 93-949, eff. 1-1-05.)