

1 AN ACT concerning sex offenders.

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

4 Section 3. The Criminal Code of 1961 is amended by changing
5 Sections 11-9.3 and 11-9.4 as follows:

6 (720 ILCS 5/11-9.3)

7 Sec. 11-9.3. Presence within school zone by child sex
8 offenders prohibited.

9 (a) It is unlawful for a child sex offender to knowingly be
10 present in any school building, on real property comprising any
11 school, or in any conveyance owned, leased, or contracted by a
12 school to transport students to or from school or a school
13 related activity when persons under the age of 18 are present
14 in the building, on the grounds or in the conveyance, unless
15 the offender is a parent or guardian of a student attending the
16 school and the parent or guardian is: (i) attending a
17 conference at the school with school personnel to discuss the
18 progress of his or her child academically or socially, (ii)
19 participating in child review conferences in which evaluation
20 and placement decisions may be made with respect to his or her
21 child regarding special education services, or (iii) attending
22 conferences to discuss other student issues concerning his or
23 her child such as retention and promotion and notifies the

1 principal of the school of his or her presence at the school or
2 unless the offender has permission to be present from the
3 superintendent or the school board or in the case of a private
4 school from the principal. In the case of a public school, if
5 permission is granted, the superintendent or school board
6 president must inform the principal of the school where the sex
7 offender will be present. Notification includes the nature of
8 the sex offender's visit and the hours in which the sex
9 offender will be present in the school. The sex offender is
10 responsible for notifying the principal's office when he or she
11 arrives on school property and when he or she departs from
12 school property. If the sex offender is to be present in the
13 vicinity of children, the sex offender has the duty to remain
14 under the direct supervision of a school official. A child sex
15 offender who violates this provision is guilty of a Class 4
16 felony.

17 (a-5) It is unlawful for a child sex offender to knowingly
18 be present within 100 feet of a site posted as a pick-up or
19 discharge stop for a conveyance owned, leased, or contracted by
20 a school to transport students to or from school or a school
21 related activity when one or more persons under the age of 18
22 are present at the site.

23 (b) It is unlawful for a child sex offender to knowingly
24 loiter within 500 feet of a school building or real property
25 comprising any school while persons under the age of 18 are
26 present in the building or on the grounds, unless the offender

1 is a parent or guardian of a student attending the school and
2 the parent or guardian is: (i) attending a conference at the
3 school with school personnel to discuss the progress of his or
4 her child academically or socially, (ii) participating in child
5 review conferences in which evaluation and placement decisions
6 may be made with respect to his or her child regarding special
7 education services, or (iii) attending conferences to discuss
8 other student issues concerning his or her child such as
9 retention and promotion and notifies the principal of the
10 school of his or her presence at the school or has permission
11 to be present from the superintendent or the school board or in
12 the case of a private school from the principal. In the case of
13 a public school, if permission is granted, the superintendent
14 or school board president must inform the principal of the
15 school where the sex offender will be present. Notification
16 includes the nature of the sex offender's visit and the hours
17 in which the sex offender will be present in the school. The
18 sex offender is responsible for notifying the principal's
19 office when he or she arrives on school property and when he or
20 she departs from school property. If the sex offender is to be
21 present in the vicinity of children, the sex offender has the
22 duty to remain under the direct supervision of a school
23 official. A child sex offender who violates this provision is
24 guilty of a Class 4 felony.

25 (b-5) It is unlawful for a child sex offender to knowingly
26 reside within 500 feet of a school building or the real

1 property comprising any school that persons under the age of 18
2 attend. Nothing in this subsection (b-5) prohibits a child sex
3 offender from residing within 500 feet of a school building or
4 the real property comprising any school that persons under 18
5 attend if the property is owned by the child sex offender and
6 was purchased before the effective date of this amendatory Act
7 of the 91st General Assembly.

8 (c) Definitions. In this Section:

9 (1) "Child sex offender" means any person who:

10 (i) has been charged under Illinois law, or any
11 substantially similar federal law or law of another
12 state, with a sex offense set forth in paragraph (2) of
13 this subsection (c) or the attempt to commit an
14 included sex offense, and:

15 (A) is convicted of such offense or an attempt
16 to commit such offense; or

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

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

24 (D) is the subject of a finding not resulting
25 in an acquittal at a hearing conducted pursuant to
26 subsection (a) of Section 104-25 of the Code of

1 Criminal Procedure of 1963 for the alleged
2 commission or attempted commission of such
3 offense; or

4 (E) is found not guilty by reason of insanity
5 following a hearing conducted pursuant to a
6 federal law or the law of another state
7 substantially similar to subsection (c) of Section
8 104-25 of the Code of Criminal Procedure of 1963 of
9 such offense or of the attempted commission of such
10 offense; or

11 (F) is the subject of a finding not resulting
12 in an acquittal at a hearing conducted pursuant to
13 a federal law or the law of another state
14 substantially similar to subsection (a) of Section
15 104-25 of the Code of Criminal Procedure of 1963
16 for the alleged violation or attempted commission
17 of such offense; or

18 (ii) is certified as a sexually dangerous person
19 pursuant to the Illinois Sexually Dangerous Persons
20 Act, or any substantially similar federal law or the
21 law of another state, when any conduct giving rise to
22 such certification is committed or attempted against a
23 person less than 18 years of age; or

24 (iii) is subject to the provisions of Section 2 of
25 the Interstate Agreements on Sexually Dangerous
26 Persons Act.

1 Convictions that result from or are connected with the
2 same act, or result from offenses committed at the same
3 time, shall be counted for the purpose of this Section as
4 one conviction. Any conviction set aside pursuant to law is
5 not a conviction for purposes of this Section.

6 "Child sex offender" does not include any person who
7 has been removed from the requirement to register as a sex
8 offender under Section 3-6 of the Sex Offender Registration
9 Act.

10 (2) Except as otherwise provided in paragraph (2.5),
11 "sex offense" means:

12 (i) A violation of any of the following Sections of
13 the Criminal Code of 1961: 10-7 (aiding or abetting
14 child abduction under Section 10-5(b)(10)),
15 10-5(b)(10) (child luring), 11-6 (indecent
16 solicitation of a child), 11-6.5 (indecent
17 solicitation of an adult), 11-9 (public indecency when
18 committed in a school, on the real property comprising
19 a school, or on a conveyance, owned, leased, or
20 contracted by a school to transport students to or from
21 school or a school related activity), 11-9.1 (sexual
22 exploitation of a child), 11-15.1 (soliciting for a
23 juvenile prostitute), 11-17.1 (keeping a place of
24 juvenile prostitution), 11-18.1 (patronizing a
25 juvenile prostitute), 11-19.1 (juvenile pimping),
26 11-19.2 (exploitation of a child), 11-20.1 (child

1 pornography), 11-20.3 (aggravated child pornography),
2 11-21 (harmful material), 12-14.1 (predatory criminal
3 sexual assault of a child), 12-33 (ritualized abuse of
4 a child), 11-20 (obscenity) (when that offense was
5 committed in any school, on real property comprising
6 any school, in any conveyance owned, leased, or
7 contracted by a school to transport students to or from
8 school or a school related activity). An attempt to
9 commit any of these offenses.

10 (ii) A violation of any of the following Sections
11 of the Criminal Code of 1961, when the victim is a
12 person under 18 years of age: 12-13 (criminal sexual
13 assault), 12-14 (aggravated criminal sexual assault),
14 12-15 (criminal sexual abuse), 12-16 (aggravated
15 criminal sexual abuse). An attempt to commit any of
16 these offenses.

17 (iii) A violation of any of the following Sections
18 of the Criminal Code of 1961, when the victim is a
19 person under 18 years of age and the defendant is not a
20 parent of the victim:

21 10-1 (kidnapping),
22 10-2 (aggravated kidnapping),
23 10-3 (unlawful restraint),
24 10-3.1 (aggravated unlawful restraint).

25 An attempt to commit any of these offenses.

26 (iv) A violation of any former law of this State

1 substantially equivalent to any offense listed in
2 clause (2) (i) of subsection (c) of this Section.

3 (2.5) For the purposes of subsection (b-5) only, a sex
4 offense means:

5 (i) A violation of any of the following Sections of
6 the Criminal Code of 1961:

7 10-5(b)(10) (child luring), 10-7 (aiding or
8 abetting child abduction under Section 10-5(b)(10)),
9 11-6 (indecent solicitation of a child), 11-6.5
10 (indecent solicitation of an adult), 11-15.1
11 (soliciting for a juvenile prostitute), 11-17.1
12 (keeping a place of juvenile prostitution), 11-18.1
13 (patronizing a juvenile prostitute), 11-19.1 (juvenile
14 pimping), 11-19.2 (exploitation of a child), 11-20.1
15 (child pornography), 11-20.3 (aggravated child
16 pornography), 12-14.1 (predatory criminal sexual
17 assault of a child), or 12-33 (ritualized abuse of a
18 child). An attempt to commit any of these offenses.

19 (ii) A violation of any of the following Sections
20 of the Criminal Code of 1961, when the victim is a
21 person under 18 years of age: 12-13 (criminal sexual
22 assault), 12-14 (aggravated criminal sexual assault),
23 12-16 (aggravated criminal sexual abuse), and
24 subsection (a) of Section 12-15 (criminal sexual
25 abuse). An attempt to commit any of these offenses.

26 (iii) A violation of any of the following Sections

1 of the Criminal Code of 1961, when the victim is a
2 person under 18 years of age and the defendant is not a
3 parent of the victim:

4 10-1 (kidnapping),
5 10-2 (aggravated kidnapping),
6 10-3 (unlawful restraint),
7 10-3.1 (aggravated unlawful restraint).

8 An attempt to commit any of these offenses.

9 (iv) A violation of any former law of this State
10 substantially equivalent to any offense listed in this
11 paragraph (2.5) of this subsection.

12 (3) A conviction for an offense of federal law or the
13 law of another state that is substantially equivalent to
14 any offense listed in paragraph (2) of subsection (c) of
15 this Section shall constitute a conviction for the purpose
16 of this Article. A finding or adjudication as a sexually
17 dangerous person under any federal law or law of another
18 state that is substantially equivalent to the Sexually
19 Dangerous Persons Act shall constitute an adjudication for
20 the purposes of this Section.

21 (4) "School" means a public or private pre-school,
22 elementary, or secondary school.

23 (5) "Loiter" means:

24 (i) Standing, sitting idly, whether or not the
25 person is in a vehicle or remaining in or around school
26 property.

1 (ii) Standing, sitting idly, whether or not the
2 person is in a vehicle or remaining in or around school
3 property, for the purpose of committing or attempting
4 to commit a sex offense.

5 (iii) Entering or remaining in a building in or
6 around school property, other than the offender's
7 residence.

8 (6) "School official" means the principal, a teacher,
9 or any other certified employee of the school, the
10 superintendent of schools or a member of the school board.

11 (c-5) For the purposes of this Section, the 500 feet
12 distance shall be measured from the edge of the property of the
13 school building or the real property comprising the school that
14 is closest to the edge of the property of the child sex
15 offender's residence or where he or she is loitering.

16 (d) Sentence. A person who violates this Section is guilty
17 of a Class 4 felony.

18 (Source: P.A. 95-331, eff. 8-21-07; 95-440, eff. 8-27-07;
19 95-640, eff. 6-1-08; 95-819, eff. 1-1-09; 95-876, eff. 8-21-08;
20 96-328, eff. 8-11-09; 96-710, eff. 1-1-10.)

21 (720 ILCS 5/11-9.4)

22 Sec. 11-9.4. Approaching, contacting, residing, or
23 communicating with a child within certain places by child sex
24 offenders prohibited.

25 (a) It is unlawful for a child sex offender to knowingly be

1 present in any public park building or on real property
2 comprising any public park when persons under the age of 18 are
3 present in the building or on the grounds and to approach,
4 contact, or communicate with a child under 18 years of age,
5 unless the offender is a parent or guardian of a person under
6 18 years of age present in the building or on the grounds.

7 (b) It is unlawful for a child sex offender to knowingly
8 loiter on a public way within 500 feet of a public park
9 building or real property comprising any public park while
10 persons under the age of 18 are present in the building or on
11 the grounds and to approach, contact, or communicate with a
12 child under 18 years of age, unless the offender is a parent or
13 guardian of a person under 18 years of age present in the
14 building or on the grounds.

15 (b-5) It is unlawful for a child sex offender to knowingly
16 reside within 500 feet of a playground, child care institution,
17 day care center, part day child care facility, day care home,
18 group day care home, or a facility providing programs or
19 services exclusively directed toward persons under 18 years of
20 age. Nothing in this subsection (b-5) prohibits a child sex
21 offender from residing within 500 feet of a playground or a
22 facility providing programs or services exclusively directed
23 toward persons under 18 years of age if the property is owned
24 by the child sex offender and was purchased before the
25 effective date of this amendatory Act of the 91st General
26 Assembly. Nothing in this subsection (b-5) prohibits a child

1 sex offender from residing within 500 feet of a child care
2 institution, day care center, or part day child care facility
3 if the property is owned by the child sex offender and was
4 purchased before the effective date of this amendatory Act of
5 the 94th General Assembly. Nothing in this subsection (b-5)
6 prohibits a child sex offender from residing within 500 feet of
7 a day care home or group day care home if the property is owned
8 by the child sex offender and was purchased before August 14,
9 2008 (the effective date of Public Act 95-821).

10 (b-6) It is unlawful for a child sex offender to knowingly
11 reside within 500 feet of the victim of the sex offense.
12 Nothing in this subsection (b-6) prohibits a child sex offender
13 from residing within 500 feet of the victim if the property in
14 which the child sex offender resides is owned by the child sex
15 offender and was purchased before the effective date of this
16 amendatory Act of the 92nd General Assembly.

17 This subsection (b-6) does not apply if the victim of the
18 sex offense is 21 years of age or older.

19 (b-7) It is unlawful for a child sex offender to knowingly
20 communicate, other than for a lawful purpose under Illinois
21 law, using the Internet or any other digital media, with a
22 person under 18 years of age or with a person whom he or she
23 believes to be a person under 18 years of age, unless the
24 offender is a parent or guardian of the person under 18 years
25 of age.

26 (c) It is unlawful for a child sex offender to knowingly

1 operate, manage, be employed by, volunteer at, be associated
2 with, or knowingly be present at any: (i) facility providing
3 programs or services exclusively directed towards persons
4 under the age of 18; (ii) day care center; (iii) part day child
5 care facility; (iv) child care institution; (v) school
6 providing before and after school programs for children under
7 18 years of age; (vi) day care home; or (vii) group day care
8 home. This does not prohibit a child sex offender from owning
9 the real property upon which the programs or services are
10 offered or upon which the day care center, part day child care
11 facility, child care institution, or school providing before
12 and after school programs for children under 18 years of age is
13 located, provided the child sex offender refrains from being
14 present on the premises for the hours during which: (1) the
15 programs or services are being offered or (2) the day care
16 center, part day child care facility, child care institution,
17 school providing before and after school programs for children
18 under 18 years of age, day care home, or group day care home is
19 operated.

20 (c-5) It is unlawful for a child sex offender to knowingly
21 operate, manage, be employed by, or be associated with any
22 county fair when persons under the age of 18 are present.

23 (c-6) It is unlawful for a child sex offender who owns and
24 resides at residential real estate to knowingly rent any
25 residential unit within the same building in which he or she
26 resides to a person who is the parent or guardian of a child or

1 children under 18 years of age. This subsection shall apply
2 only to leases or other rental arrangements entered into after
3 January 1, 2009 (the effective date of Public Act 95-820).

4 (c-7) It is unlawful for a child sex offender to knowingly
5 offer or provide any programs or services to persons under 18
6 years of age in his or her residence or the residence of
7 another or in any facility for the purpose of offering or
8 providing such programs or services, whether such programs or
9 services are offered or provided by contract, agreement,
10 arrangement, or on a volunteer basis.

11 (c-8) It is unlawful for a child sex offender to knowingly
12 operate, whether authorized to do so or not, any of the
13 following vehicles: (1) a vehicle which is specifically
14 designed, constructed or modified and equipped to be used for
15 the retail sale of food or beverages, including but not limited
16 to an ice cream truck; (2) an authorized emergency vehicle; or
17 (3) a rescue vehicle.

18 (d) Definitions. In this Section:

19 (1) "Child sex offender" means any person who:

20 (i) has been charged under Illinois law, or any
21 substantially similar federal law or law of another
22 state, with a sex offense set forth in paragraph (2) of
23 this subsection (d) or the attempt to commit an
24 included sex offense, and:

25 (A) is convicted of such offense or an attempt
26 to commit such offense; or

1 (B) is found not guilty by reason of insanity
2 of such offense or an attempt to commit such
3 offense; or

4 (C) is found not guilty by reason of insanity
5 pursuant to subsection (c) of Section 104-25 of the
6 Code of Criminal Procedure of 1963 of such offense
7 or an attempt to commit such offense; or

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

14 (E) is found not guilty by reason of insanity
15 following a hearing conducted pursuant to a
16 federal law or the law of another state
17 substantially similar to subsection (c) of Section
18 104-25 of the Code of Criminal Procedure of 1963 of
19 such offense or of the attempted commission of such
20 offense; or

21 (F) is the subject of a finding not resulting
22 in an acquittal at a hearing conducted pursuant to
23 a federal law or the law of another state
24 substantially similar to subsection (a) of Section
25 104-25 of the Code of Criminal Procedure of 1963
26 for the alleged violation or attempted commission

1 of such offense; or

2 (ii) is certified as a sexually dangerous person
3 pursuant to the Illinois Sexually Dangerous Persons
4 Act, or any substantially similar federal law or the
5 law of another state, when any conduct giving rise to
6 such certification is committed or attempted against a
7 person less than 18 years of age; or

8 (iii) is subject to the provisions of Section 2 of
9 the Interstate Agreements on Sexually Dangerous
10 Persons Act.

11 Convictions that result from or are connected with the
12 same act, or result from offenses committed at the same
13 time, shall be counted for the purpose of this Section as
14 one conviction. Any conviction set aside pursuant to law is
15 not a conviction for purposes of this Section.

16 "Child sex offender" does not include any person who
17 has been removed from the requirement to register as a sex
18 offender under Section 3-6 of the Sex Offender Registration
19 Act.

20 (2) Except as otherwise provided in paragraph (2.5),
21 "sex offense" means:

22 (i) A violation of any of the following Sections of
23 the Criminal Code of 1961: 10-7 (aiding or abetting
24 child abduction under Section 10-5(b)(10)),
25 10-5(b)(10) (child luring), 11-6 (indecent
26 solicitation of a child), 11-6.5 (indecent

1 solicitation of an adult), 11-9 (public indecency when
2 committed in a school, on the real property comprising
3 a school, on a conveyance owned, leased, or contracted
4 by a school to transport students to or from school or
5 a school related activity, or in a public park), 11-9.1
6 (sexual exploitation of a child), 11-15.1 (soliciting
7 for a juvenile prostitute), 11-17.1 (keeping a place of
8 juvenile prostitution), 11-18.1 (patronizing a
9 juvenile prostitute), 11-19.1 (juvenile pimping),
10 11-19.2 (exploitation of a child), 11-20.1 (child
11 pornography), 11-20.3 (aggravated child pornography),
12 11-21 (harmful material), 12-14.1 (predatory criminal
13 sexual assault of a child), 12-33 (ritualized abuse of
14 a child), 11-20 (obscenity) (when that offense was
15 committed in any school, on real property comprising
16 any school, on any conveyance owned, leased, or
17 contracted by a school to transport students to or from
18 school or a school related activity, or in a public
19 park). An attempt to commit any of these offenses.

20 (ii) A violation of any of the following Sections
21 of the Criminal Code of 1961, when the victim is a
22 person under 18 years of age: 12-13 (criminal sexual
23 assault), 12-14 (aggravated criminal sexual assault),
24 12-15 (criminal sexual abuse), 12-16 (aggravated
25 criminal sexual abuse). An attempt to commit any of
26 these offenses.

1 (iii) A violation of any of the following Sections
2 of the Criminal Code of 1961, when the victim is a
3 person under 18 years of age and the defendant is not a
4 parent of the victim:

5 10-1 (kidnapping),

6 10-2 (aggravated kidnapping),

7 10-3 (unlawful restraint),

8 10-3.1 (aggravated unlawful restraint).

9 An attempt to commit any of these offenses.

10 (iv) A violation of any former law of this State
11 substantially equivalent to any offense listed in
12 clause (2)(i) of this subsection (d).

13 (2.5) For the purposes of subsection (b-5) only, a sex
14 offense means:

15 (i) A violation of any of the following Sections of
16 the Criminal Code of 1961:

17 10-5(b)(10) (child luring), 10-7 (aiding or

18 abetting child abduction under Section

19 10-5(b)(10)), 11-6 (indecent solicitation of a

20 child), 11-6.5 (indecent solicitation of an

21 adult), 11-15.1 (soliciting for a juvenile

22 prostitute), 11-17.1 (keeping a place of juvenile

23 prostitution), 11-18.1 (patronizing a juvenile

24 prostitute), 11-19.1 (juvenile pimping), 11-19.2

25 (exploitation of a child), 11-20.1 (child

26 pornography), 11-20.3 (aggravated child

1 pornography), 12-14.1 (predatory criminal sexual
2 assault of a child), or 12-33 (ritualized abuse of
3 a child). An attempt to commit any of these
4 offenses.

5 (ii) A violation of any of the following Sections
6 of the Criminal Code of 1961, when the victim is a
7 person under 18 years of age: 12-13 (criminal sexual
8 assault), 12-14 (aggravated criminal sexual assault),
9 12-16 (aggravated criminal sexual abuse), and
10 subsection (a) of Section 12-15 (criminal sexual
11 abuse). An attempt to commit any of these offenses.

12 (iii) A violation of any of the following Sections
13 of the Criminal Code of 1961, when the victim is a
14 person under 18 years of age and the defendant is not a
15 parent of the victim:

16 10-1 (kidnapping),
17 10-2 (aggravated kidnapping),
18 10-3 (unlawful restraint),
19 10-3.1 (aggravated unlawful restraint).

20 An attempt to commit any of these offenses.

21 (iv) A violation of any former law of this State
22 substantially equivalent to any offense listed in this
23 paragraph (2.5) of this subsection.

24 (3) A conviction for an offense of federal law or the
25 law of another state that is substantially equivalent to
26 any offense listed in paragraph (2) of this subsection (d)

1 shall constitute a conviction for the purpose of this
2 Section. A finding or adjudication as a sexually dangerous
3 person under any federal law or law of another state that
4 is substantially equivalent to the Sexually Dangerous
5 Persons Act shall constitute an adjudication for the
6 purposes of this Section.

7 (4) "Public park" includes a park, forest preserve, or
8 conservation area under the jurisdiction of the State or a
9 unit of local government.

10 (5) "Facility providing programs or services directed
11 towards persons under the age of 18" means any facility
12 providing programs or services exclusively directed
13 towards persons under the age of 18.

14 (6) "Loiter" means:

15 (i) Standing, sitting idly, whether or not the
16 person is in a vehicle or remaining in or around public
17 park property.

18 (ii) Standing, sitting idly, whether or not the
19 person is in a vehicle or remaining in or around public
20 park property, for the purpose of committing or
21 attempting to commit a sex offense.

22 (7) "Playground" means a piece of land owned or
23 controlled by a unit of local government that is designated
24 by the unit of local government for use solely or primarily
25 for children's recreation.

26 (8) "Child care institution" has the meaning ascribed

1 to it in Section 2.06 of the Child Care Act of 1969.

2 (9) "Day care center" has the meaning ascribed to it in
3 Section 2.09 of the Child Care Act of 1969.

4 (10) "Part day child care facility" has the meaning
5 ascribed to it in Section 2.10 of the Child Care Act of
6 1969.

7 (11) "Day care home" has the meaning ascribed to it in
8 Section 2.18 of the Child Care Act of 1969.

9 (12) "Group day care home" has the meaning ascribed to
10 it in Section 2.20 of the Child Care Act of 1969.

11 (13) "Internet" means an interactive computer service
12 or system or an information service, system, or access
13 software provider that provides or enables computer access
14 by multiple users to a computer server, and includes, but
15 is not limited to, an information service, system, or
16 access software provider that provides access to a network
17 system commonly known as the Internet, or any comparable
18 system or service and also includes, but is not limited to,
19 a World Wide Web page, newsgroup, message board, mailing
20 list, or chat area on any interactive computer service or
21 system or other online service.

22 (14) "Authorized emergency vehicle", "rescue vehicle",
23 and "vehicle" have the meanings ascribed to them in
24 Sections 1-105, 1-171.8 and 1-217, respectively, of the
25 Illinois Vehicle Code.

26 (d-5) For the purposes of this Section, the 500 feet

1 distance shall be measured from the edge of the property
2 comprising the public park building or the real property
3 comprising the public park, playground, child care
4 institution, day care center, part day child care facility, or
5 a facility providing programs or services exclusively directed
6 toward persons under 18 years of age, or a victim of the sex
7 offense who is under 21 years of age to the edge of the child
8 sex offender's place of residence or where he or she is
9 loitering.

10 (e) Sentence. A person who violates this Section is guilty
11 of a Class 4 felony.

12 (Source: P.A. 95-32, eff. 1-1-08; 95-640, eff. 6-1-08; 95-819,
13 eff. 1-1-09; 95-820, eff. 1-1-09; 95-821, eff. 8-14-08; 95-876,
14 eff. 8-21-08; 95-983, eff. 6-1-09; 96-118, eff. 8-4-09; 96-328,
15 eff. 8-11-09; 96-710, eff. 1-1-10; 96-1000, eff. 7-2-10.)

16 Section 5. The Sex Offender Registration Act is amended by
17 adding Section 3-6 as follows:

18 (730 ILCS 150/3-6 new)

19 Sec. 3-6. Criminal sexual abuse; removal from
20 registration.

21 (a) A person convicted of or adjudicated delinquent for the
22 offense of criminal sexual abuse under subsection (b) or (c) of
23 Section 12-15 of the Criminal Code of 1961 but not under
24 subsection (a) of Section 12-15 of the Criminal Code of 1961

1 may file a motion with the sentencing court for removal from
2 the requirement to register as a sex offender under this Act
3 only if:

4 (1) he or she is required to register as a sex offender
5 solely on the basis of a violation of subsection (b) or (c)
6 of Section 12-15 of the Criminal Code of 1961;

7 (2) he or she is not more than 4 years older than the
8 victim; and

9 (3) the victim was 14 years of age or older at the time
10 of the offense.

11 (b) A motion filed with the sentencing court to remove the
12 requirement that the person described in subsection (a) must
13 register as a sex offender must allege:

14 (1) that he or she meets the criteria set forth in
15 subsection (a); and

16 (2) that the removal of the registration requirement
17 will not conflict with federal law.

18 (c) The State's Attorney must receive 21 days notice prior
19 to the disposition of the motion and may present evidence in
20 opposition to the requested relief or otherwise demonstrate why
21 the motion should be denied.

22 (d) The court may grant the motion if it finds that the
23 offender meets the criteria set forth in subsection (a) and
24 that the removal of the registration requirement will not
25 conflict with federal law.

26 (e) If the court denies the motion, the offender may not

1 petition again under this Section for removal from the
2 requirement to register as a sex offender until 2 years has
3 elapsed following denial of the motion.

4 (f) If the court grants the motion, and the offender
5 provides the Department of State Police with a certified copy
6 of the court's order removing the requirement that he or she
7 register as a sex offender, the registration requirement may
8 not apply to the person and the Department shall remove all
9 information about the person from the registry of sex offenders
10 maintained by the Department.

11 (g) Relief under this Section does not entitle the offender
12 to expunge or seal information about his or her criminal
13 history.