



Rep. William Davis

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09800HB4094ham001

LRB098 15652 RLC 57734 a

1 AMENDMENT TO HOUSE BILL 4094

2 AMENDMENT NO. _____. Amend House Bill 4094 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by
5 changing Section 11-9.4-1 as follows:

6 (720 ILCS 5/11-9.4-1)

7 Sec. 11-9.4-1. Sexual predator and child sex offender;
8 presence or loitering in or near public parks prohibited.

9 (a) For the purposes of this Section:

10 "Child sex offender" has the meaning ascribed to it in
11 subsection (d) of Section 11-9.3 of this Code, but does not
12 include as a sex offense under paragraph (2) of subsection
13 (d) of Section 11-9.3, the offenses under subsections (b)
14 and (c) of Section 11-1.50 or subsections (b) and (c) of
15 Section 12-15 of this Code.

16 "Public park" includes a park, forest preserve,

1 bikeway, trail, or conservation area under the
2 jurisdiction of the State or a unit of local government.

3 "Loiter" means:

4 (i) Standing, sitting idly, whether or not the
5 person is in a vehicle or remaining in or around public
6 park property.

7 (ii) Standing, sitting idly, whether or not the
8 person is in a vehicle or remaining in or around public
9 park property, for the purpose of committing or
10 attempting to commit a sex offense.

11 "Sexual predator" has the meaning ascribed to it in
12 subsection (E) of Section 2 of the Sex Offender
13 Registration Act.

14 (b) It is unlawful for a sexual predator or a child sex
15 offender to knowingly be present in any public park building or
16 on real property comprising any public park, unless the
17 offender is a parent or guardian of a person under 18 years of
18 age who is also present in the building or in the public park
19 and the offender does not contact or communicate with any other
20 persons under 18 years of age.

21 (c) It is unlawful for a sexual predator or a child sex
22 offender to knowingly loiter on a public way within 500 feet of
23 a public park building or real property comprising any public
24 park, unless the offender is a parent or guardian of a person
25 under 18 years of age who is also present in the building or in
26 the public park and the offender does not contact or

1 communicate with any other persons under 18 years of age. For
2 the purposes of this subsection (c), the 500 feet distance
3 shall be measured from the edge of the property comprising the
4 public park building or the real property comprising the public
5 park.

6 (d) Sentence. A person who violates this Section is guilty
7 of a Class A misdemeanor, except that a second or subsequent
8 violation is a Class 4 felony.

9 (Source: P.A. 96-1099, eff. 1-1-11; 97-698, eff. 1-1-13;
10 97-1109, eff. 1-1-13.)".