



Rep. Ann Williams

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09800SB1600ham001

LRB098 02594 RLC 49179 a

1 AMENDMENT TO SENATE BILL 1600

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1600 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Sex Offender Evaluation and Treatment  
5 Provider Act is amended by changing Sections 35 and 999 as  
6 follows:

7 (225 ILCS 109/35)

8 Sec. 35. Qualifications for licensure.

9 (a)(1) A person is qualified for licensure as a sex  
10 offender evaluator if that person:

11 (A) has applied in writing on forms prepared and  
12 furnished by the Department;

13 (B) has not engaged or is not engaged in any practice  
14 or conduct that would be grounds for disciplining a  
15 licensee under Section 75 of this Act; and

16 (C) satisfies the licensure and experience

1 requirements of paragraph (2) of this subsection (a).

2 (2) A person who applies to the Department shall be issued  
3 a sex offender evaluator license by the Department if the  
4 person meets the qualifications set forth in paragraph (1) of  
5 this subsection (a) and provides evidence to the Department  
6 that the person:

7 (A) is a physician licensed to practice medicine in all  
8 of its branches under the Medical Practice Act of 1987 or  
9 licensed under the laws of another state; an advanced  
10 practice nurse with psychiatric specialty licensed under  
11 the Nurse Practice Act or licensed under the laws of  
12 another state; a clinical psychologist licensed under the  
13 Clinical Psychologist Licensing Act or licensed under the  
14 laws of another state; a licensed clinical social worker  
15 licensed under the Clinical Social Work and Social Work  
16 Practice Act or licensed under the laws of another state; a  
17 licensed clinical professional counselor licensed under  
18 the Professional Counselor and Clinical Professional  
19 Counselor Licensing Act or licensed under the laws of  
20 another state; or a licensed marriage and family therapist  
21 licensed under the Marriage and Family Therapist Licensing  
22 Act or licensed under the laws of another state;

23 (B) has 400 hours of supervised experience in the  
24 treatment or evaluation of sex offenders in the last 4  
25 years, at least 200 of which are face-to-face therapy or  
26 evaluation with sex offenders;

1 (C) has completed at least 10 sex offender evaluations  
2 under supervision in the past 4 years; and

3 (D) has at least 40 hours of documented training in the  
4 specialty of sex offender evaluation, treatment, or  
5 management.

6 Until January 1, 2015, the requirements of subparagraphs  
7 (B) and (D) of paragraph (2) of this subsection (a) are  
8 satisfied if the applicant has been listed on the Sex Offender  
9 Management Board's Approved Provider List for a minimum of 2  
10 years before application for licensure. Until January 1, 2015,  
11 the requirements of subparagraph (C) of paragraph (2) of this  
12 subsection (a) are satisfied if the applicant has completed at  
13 least 10 sex offender evaluations within the 4 years before  
14 application for licensure.

15 (b)(1) A person is qualified for licensure as a sex  
16 offender treatment provider if that person:

17 (A) has applied in writing on forms prepared and  
18 furnished by the Department;

19 (B) has not engaged or is not engaged in any practice  
20 or conduct that would be grounds for disciplining a  
21 licensee under Section 75 of this Act; and

22 (C) satisfies the licensure and experience  
23 requirements of paragraph (2) of this subsection (b).

24 (2) A person who applies to the Department shall be issued  
25 a sex offender treatment provider license by the Department if  
26 the person meets the qualifications set forth in paragraph (1)

1 of this subsection (b) and provides evidence to the Department  
2 that the person:

3 (A) is a physician licensed to practice medicine in all  
4 of its branches under the Medical Practice Act of 1987 or  
5 licensed under the laws of another state; an advanced  
6 practice nurse with psychiatric specialty licensed under  
7 the Nurse Practice Act or licensed under the laws of  
8 another state; a clinical psychologist licensed under the  
9 Clinical Psychologist Licensing Act or licensed under the  
10 laws of another state; a licensed clinical social worker  
11 licensed under the Clinical Social Work and Social Work  
12 Practice Act or licensed under the laws of another state; a  
13 licensed clinical professional counselor licensed under  
14 the Professional Counselor and Clinical Professional  
15 Counselor Licensing Act or licensed under the laws of  
16 another state; or a licensed marriage and family therapist  
17 licensed under the Marriage and Family Therapist Licensing  
18 Act or licensed under the laws of another state;

19 (B) has 400 hours of supervised experience in the  
20 treatment of sex offenders in the last 4 years, at least  
21 200 of which are face-to-face therapy with sex offenders;  
22 and

23 (C) has at least 40 hours documented training in the  
24 specialty of sex offender evaluation, treatment, or  
25 management.

26 Until January 1, 2015, the requirements of subparagraphs

1 (B) and (C) of paragraph (2) of this subsection (b) are  
2 satisfied if the applicant has been listed on the Sex Offender  
3 Management Board's Approved Provider List for a minimum of 2  
4 years before application.

5 (c) (1) A person is qualified for licensure as an associate  
6 sex offender provider if that person:

7 (A) has applied in writing on forms prepared and  
8 furnished by the Department;

9 (B) has not engaged or is not engaged in any practice  
10 or conduct that would be grounds for disciplining a  
11 licensee under Section 75 of this Act; and

12 (C) satisfies the education and experience  
13 requirements of paragraph (2) of this subsection (c).

14 (2) A person who applies to the Department shall be issued  
15 an associate sex offender provider license by the Department if  
16 the person meets the qualifications set forth in paragraph (1)  
17 of this subsection (c) and provides evidence to the Department  
18 that the person holds a master's degree or higher in social  
19 work, psychology, marriage and family therapy, counseling or  
20 closely related behavioral science degree, or psychiatry.

21 (Source: P.A. 97-1098, eff. 7-1-13.)

22 (225 ILCS 109/999)

23 Sec. 999. Effective date. This Act takes effect July 1,  
24 2013, except that this Section, Section 175, Section 180, and  
25 the amendatory changes to Sections 2 and 3 of the Sex Offender

1 Registration Act take effect on January 1, 2013, the other  
2 amendatory changes to Section 3-5 of the Sex Offender  
3 Registration Act, the amendatory changes to the Sexually  
4 Dangerous Persons Act, and the amendatory changes to the  
5 Sexually Violent Persons Commitment Act take effect July  
6 ~~January~~ 1, 2014.

7 (Source: P.A. 97-1098, eff. 1-1-13.)

8 Section 10. The Sex Offender Registration Act is amended by  
9 changing Section 3 as follows:

10 (730 ILCS 150/3)

11 Sec. 3. Duty to register.

12 (a) A sex offender, as defined in Section 2 of this Act, or  
13 sexual predator shall, within the time period prescribed in  
14 subsections (b) and (c), register in person and provide  
15 accurate information as required by the Department of State  
16 Police. Such information shall include a current photograph,  
17 current address, current place of employment, the sex  
18 offender's or sexual predator's telephone number, including  
19 cellular telephone number, the employer's telephone number,  
20 school attended, all e-mail addresses, instant messaging  
21 identities, chat room identities, and other Internet  
22 communications identities that the sex offender uses or plans  
23 to use, all Uniform Resource Locators (URLs) registered or used  
24 by the sex offender, all blogs and other Internet sites

1 maintained by the sex offender or to which the sex offender has  
2 uploaded any content or posted any messages or information,  
3 extensions of the time period for registering as provided in  
4 this Article and, if an extension was granted, the reason why  
5 the extension was granted and the date the sex offender was  
6 notified of the extension. The information shall also include a  
7 copy of the terms and conditions of parole or release signed by  
8 the sex offender and given to the sex offender by his or her  
9 supervising officer or aftercare specialist, the county of  
10 conviction, license plate numbers for every vehicle registered  
11 in the name of the sex offender, the age of the sex offender at  
12 the time of the commission of the offense, the age of the  
13 victim at the time of the commission of the offense, and any  
14 distinguishing marks located on the body of the sex offender. A  
15 sex offender convicted under Section 11-6, 11-20.1, 11-20.1B,  
16 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal  
17 Code of 2012 shall provide all Internet protocol (IP) addresses  
18 in his or her residence, registered in his or her name,  
19 accessible at his or her place of employment, or otherwise  
20 under his or her control or custody. If the sex offender is a  
21 child sex offender as defined in Section 11-9.3 or 11-9.4 of  
22 the Criminal Code of 1961 or the Criminal Code of 2012, the sex  
23 offender shall report to the registering agency whether he or  
24 she is living in a household with a child under 18 years of age  
25 who is not his or her own child, provided that his or her own  
26 child is not the victim of the sex offense. The sex offender or

1 sexual predator shall register:

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

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

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

14 (i) with:

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

21 (B) the sheriff in the county in which he or she is  
22 employed or attends an institution of higher education  
23 located in an unincorporated area, or if incorporated,  
24 no police chief exists; and

25 (ii) with the public safety or security director of the  
26 institution of higher education which he or she is employed



1 at or attends.

2 The registration fees shall only apply to the municipality  
3 or county of primary registration, and not to campus  
4 registration.

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

13 A sex offender or sexual predator who is temporarily absent  
14 from his or her current address of registration for 3 or more  
15 days shall notify the law enforcement agency having  
16 jurisdiction of his or her current registration, including the  
17 itinerary for travel, in the manner provided in Section 6 of  
18 this Act for notification to the law enforcement agency having  
19 jurisdiction of change of address.

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

1           The sex offender or sexual predator shall provide accurate  
2 information as required by the Department of State Police. That  
3 information shall include the sex offender's or sexual  
4 predator's current place of employment.

5           (a-5) An out-of-state student or out-of-state employee  
6 shall, within 3 days after beginning school or employment in  
7 this State, register in person and provide accurate information  
8 as required by the Department of State Police. Such information  
9 will include current place of employment, school attended, and  
10 address in state of residence. A sex offender convicted under  
11 Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the  
12 Criminal Code of 1961 or the Criminal Code of 2012 shall  
13 provide all Internet protocol (IP) addresses in his or her  
14 residence, registered in his or her name, accessible at his or  
15 her place of employment, or otherwise under his or her control  
16 or custody. The out-of-state student or out-of-state employee  
17 shall register:

18           (1) with:

19           (A) the chief of police in the municipality in  
20 which he or she attends school or is employed for a  
21 period of time of 5 or more days or for an aggregate  
22 period of time of more than 30 days during any calendar  
23 year, unless the municipality is the City of Chicago,  
24 in which case he or she shall register at the Chicago  
25 Police Department Headquarters; or

26           (B) the sheriff in the county in which he or she

1 attends school or is employed for a period of time of 5  
2 or more days or for an aggregate period of time of more  
3 than 30 days during any calendar year in an  
4 unincorporated area or, if incorporated, no police  
5 chief exists; and

6 (2) with the public safety or security director of the  
7 institution of higher education he or she is employed at or  
8 attends for a period of time of 5 or more days or for an  
9 aggregate period of time of more than 30 days during a  
10 calendar year.

11 The registration fees shall only apply to the municipality  
12 or county of primary registration, and not to campus  
13 registration.

14 The out-of-state student or out-of-state employee shall  
15 provide accurate information as required by the Department of  
16 State Police. That information shall include the out-of-state  
17 student's current place of school attendance or the  
18 out-of-state employee's current place of employment.

19 (a-10) Any law enforcement agency registering sex  
20 offenders or sexual predators in accordance with subsections  
21 (a) or (a-5) of this Section shall forward to the Attorney  
22 General a copy of sex offender registration forms from persons  
23 convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or  
24 11-21 of the Criminal Code of 1961 or the Criminal Code of  
25 2012, including periodic and annual registrations under  
26 Section 6 of this Act.

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

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

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

15 (2) Except as provided in subsection (c)(2.1) or  
16 (c)(4), any person convicted or adjudicated prior to  
17 January 1, 1996, whose liability for registration under  
18 Section 7 has not expired, shall register in person prior  
19 to January 31, 1996.

20 (2.1) A sex offender or sexual predator, who has never  
21 previously been required to register under this Act, has a  
22 duty to register if the person has been convicted of any  
23 felony offense after July 1, 2011. A person who previously  
24 was required to register under this Act for a period of 10  
25 years and successfully completed that registration period  
26 has a duty to register if: (i) the person has been

1 convicted of any felony offense after July 1, 2011, and  
2 (ii) the offense for which the 10 year registration was  
3 served currently requires a registration period of more  
4 than 10 years. Notification of an offender's duty to  
5 register under this subsection shall be pursuant to Section  
6 5-7 of this Act.

7 (2.5) Except as provided in subsection (c)(4), any  
8 person who has not been notified of his or her  
9 responsibility to register shall be notified by a criminal  
10 justice entity of his or her responsibility to register.  
11 Upon notification the person must then register within 3  
12 days of notification of his or her requirement to register.  
13 Except as provided in subsection (c)(2.1), if notification  
14 is not made within the offender's 10 year registration  
15 requirement, and the Department of State Police determines  
16 no evidence exists or indicates the offender attempted to  
17 avoid registration, the offender will no longer be required  
18 to register under this Act.

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

23 (4) Any person unable to comply with the registration  
24 requirements of this Article because he or she is confined,  
25 institutionalized, or imprisoned in Illinois on or after  
26 January 1, 1996, shall register in person within 3 days of

1 discharge, parole or release.

2 (5) The person shall provide positive identification  
3 and documentation that substantiates proof of residence at  
4 the registering address.

5 (6) The person shall pay a \$100 initial registration  
6 fee and a \$100 annual renewal fee to the registering law  
7 enforcement agency having jurisdiction. ~~The fees shall be~~  
8 ~~used by the registering agency for official purposes. The~~  
9 ~~agency shall establish procedures to document receipt and~~  
10 ~~use of the funds.~~ The registering agency law enforcement  
11 ~~agency having jurisdiction~~ may waive the registration fee  
12 if it determines that the person is indigent and unable to  
13 pay the registration fee. Thirty-five dollars for the  
14 initial registration fee and \$35 of the annual renewal fee  
15 shall be retained and used by the registering agency for  
16 official purposes. Having retained \$35 of the initial  
17 registration fee and \$35 of the annual renewal fee, the  
18 registering agency shall remit the remainder of the fee to  
19 State agencies within 30 days of receipt for deposit into  
20 the State funds as follows:

21 (A) Five dollars of the initial registration fee  
22 and \$5 of the annual fee shall be remitted to the State  
23 Treasurer who shall deposit the moneys ~~deposited~~ into  
24 the Sex Offender Management Board Fund under Section 19  
25 of the Sex Offender Management Board Act. Money  
26 deposited into the Sex Offender Management Board Fund

1 shall be administered by the Sex Offender Management  
2 Board and shall be used by the Board to comply with the  
3 provisions of the Sex Offender Management Board Act.

4 (B) Thirty dollars of the initial registration fee  
5 and \$30 of the annual renewal fee shall be remitted to  
6 the Department of State Police which shall deposit the  
7 moneys ~~deposited~~ into the Sex Offender Registration  
8 Fund and shall be used by the Department of State  
9 Police to maintain and update the Illinois State Police  
10 Sex Offender Registry.

11 (C) Thirty dollars of the initial registration fee  
12 and \$30 of the annual renewal fee shall be remitted to  
13 the Attorney General who shall deposit the moneys  
14 ~~deposited~~ into the Attorney General Sex Offender  
15 Awareness, Training, and Education Fund. Moneys  
16 deposited into the Fund shall be used by the Attorney  
17 General to administer the I-SORT program and to alert  
18 and educate the public, victims, and witnesses of their  
19 rights under various victim notification laws and for  
20 training law enforcement agencies, State's Attorneys,  
21 and medical providers of their legal duties concerning  
22 the prosecution and investigation of sex offenses.

23 The registering agency shall establish procedures to  
24 document the receipt and remittance of the \$100 initial  
25 registration fee and \$100 annual renewal fee.

26 (d) Within 3 days after obtaining or changing employment

1 and, if employed on January 1, 2000, within 5 days after that  
2 date, a person required to register under this Section must  
3 report, in person to the law enforcement agency having  
4 jurisdiction, the business name and address where he or she is  
5 employed. If the person has multiple businesses or work  
6 locations, every business and work location must be reported to  
7 the law enforcement agency having jurisdiction.

8 (Source: P.A. 97-155, eff 1-1-12; 97-333, eff. 8-12-11; 97-578,  
9 eff. 1-1-12; 97-1098, eff. 1-1-13; 97-1109, eff. 1-1-13;  
10 97-1150, eff. 1-25-13; 98-558, eff. 1-1-14.)

11 Section 95. No acceleration or delay. Where this Act makes  
12 changes in a statute that is represented in this Act by text  
13 that is not yet or no longer in effect (for example, a Section  
14 represented by multiple versions), the use of that text does  
15 not accelerate or delay the taking effect of (i) the changes  
16 made by this Act or (ii) provisions derived from any other  
17 Public Act.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law."