



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5079

by Rep. Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

720 ILCS 5/10-9

730 ILCS 150/2

735 ILCS 5/13-202.4 new

from Ch. 38, par. 222

Amends the Criminal Code of 2012. Increases the penalties for trafficking in persons, involuntary servitude, and related offenses. For some Class X offenses, imposes a term of imprisonment of not less than 12 years and not more than 30 years. Amends the Sex Offender Registration Act. Provides that "sex offense" for registration purposes of the Act includes involuntary sexual servitude of a minor on and after January 1, 2019. Amends the Code of Civil Procedure. Provides that a victim of trafficking may bring a civil action against a person who pleads guilty to or is convicted of a human trafficking offense to recover actual damages sustained by the victim, court costs, including reasonable attorney's fees, and punitive damages determined by the court. Provides that an action commenced under the provision shall be filed within 10 years after the latest of the following events: (1) the final order in the related case; (2) the victim's emancipation from the defendant; or (3) the victim's 18th birthday.

LRB100 19063 SLF 34318 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning human trafficking.

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

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 10-9 as follows:

6 (720 ILCS 5/10-9)

7 Sec. 10-9. Trafficking in persons, involuntary servitude,
8 and related offenses.

9 (a) Definitions. In this Section:

10 (1) "Intimidation" has the meaning prescribed in
11 Section 12-6.

12 (2) "Commercial sexual activity" means any sex act on
13 account of which anything of value is given, promised to,
14 or received by any person.

15 (3) "Financial harm" includes intimidation that brings
16 about financial loss, criminal usury, or employment
17 contracts that violate the Frauds Act.

18 (4) (Blank).

19 (5) "Labor" means work of economic or financial value.

20 (6) "Maintain" means, in relation to labor or services,
21 to secure continued performance thereof, regardless of any
22 initial agreement on the part of the victim to perform that
23 type of service.

1 (7) "Obtain" means, in relation to labor or services,
2 to secure performance thereof.

3 (7.5) "Serious harm" means any harm, whether physical
4 or nonphysical, including psychological, financial, or
5 reputational harm, that is sufficiently serious, under all
6 the surrounding circumstances, to compel a reasonable
7 person of the same background and in the same circumstances
8 to perform or to continue performing labor or services in
9 order to avoid incurring that harm.

10 (8) "Services" means activities resulting from a
11 relationship between a person and the actor in which the
12 person performs activities under the supervision of or for
13 the benefit of the actor. Commercial sexual activity and
14 sexually-explicit performances are forms of activities
15 that are "services" under this Section. Nothing in this
16 definition may be construed to legitimize or legalize
17 prostitution.

18 (9) "Sexually-explicit performance" means a live,
19 recorded, broadcast (including over the Internet), or
20 public act or show intended to arouse or satisfy the sexual
21 desires or appeal to the prurient interests of patrons.

22 (10) "Trafficking victim" means a person subjected to
23 the practices set forth in subsection (b), (c), or (d).

24 (b) Involuntary servitude. A person commits involuntary
25 servitude when he or she knowingly subjects, attempts to
26 subject, or engages in a conspiracy to subject another person

1 to labor or services obtained or maintained through any of the
2 following means, or any combination of these means:

3 (1) causes or threatens to cause physical harm to any
4 person;

5 (2) physically restrains or threatens to physically
6 restrain another person;

7 (3) abuses or threatens to abuse the law or legal
8 process;

9 (4) knowingly destroys, conceals, removes,
10 confiscates, or possesses any actual or purported passport
11 or other immigration document, or any other actual or
12 purported government identification document, of another
13 person;

14 (5) uses intimidation, or exerts financial control
15 over any person; or

16 (6) uses any scheme, plan, or pattern intended to cause
17 the person to believe that, if the person did not perform
18 the labor or services, that person or another person would
19 suffer serious harm or physical restraint.

20 Sentence. Except as otherwise provided in subsection (e) or
21 (f), a violation of subsection (b) (1) is a Class X felony for
22 which the person shall be sentenced to a term of imprisonment
23 of not less than 12 years and not more than 30 years, (b) (2) is
24 a Class X ~~1~~ felony, (b) (3) is a Class 1 ~~2~~ felony, (b) (4) is a
25 Class 2 ~~3~~ felony, (b) (5) and (b) (6) is a Class 3 ~~4~~ felony.

26 (c) Involuntary sexual servitude of a minor. A person

1 commits involuntary sexual servitude of a minor when he or she
2 knowingly recruits, entices, harbors, transports, provides, or
3 obtains by any means, or attempts to recruit, entice, harbor,
4 provide, or obtain by any means, another person under 18 years
5 of age, knowing that the minor will engage in commercial sexual
6 activity, a sexually-explicit performance, or the production
7 of pornography, or causes or attempts to cause a minor to
8 engage in one or more of those activities and:

9 (1) there is no overt force or threat and the minor is
10 between the ages of 17 and 18 years;

11 (2) there is no overt force or threat and the minor is
12 under the age of 17 years; or

13 (3) there is overt force or threat.

14 Sentence. Except as otherwise provided in subsection (e) or
15 (f), a violation of subsection (c)(1) is a Class X ± felony,
16 (c)(2) ~~is a Class X felony,~~ and (c)(3) is a Class X felony for
17 which the person shall be sentenced to a term of imprisonment
18 of not less than 12 years and not more than 30 years.

19 (d) Trafficking in persons. A person commits trafficking in
20 persons when he or she knowingly: (1) recruits, entices,
21 harbors, transports, provides, or obtains by any means, or
22 attempts to recruit, entice, harbor, transport, provide, or
23 obtain by any means, another person, intending or knowing that
24 the person will be subjected to involuntary servitude; or (2)
25 benefits, financially or by receiving anything of value, from
26 participation in a venture that has engaged in an act of

1 involuntary servitude or involuntary sexual servitude of a
2 minor.

3 Sentence. ~~A Except as otherwise provided in subsection (e)~~
4 ~~or (f),~~ a violation of this subsection (d) is a Class X ~~±~~
5 felony.

6 (e) Aggravating factors. A violation of this Section
7 involving kidnapping or an attempt to kidnap, aggravated
8 criminal sexual assault or an attempt to commit aggravated
9 criminal sexual assault, or an attempt to commit first degree
10 murder is a Class X felony for which the person shall be
11 sentenced to a term of imprisonment of not less than 12 years
12 and not more than 30 years.

13 (f) Sentencing considerations.

14 (1) Bodily injury. If, pursuant to a violation of this
15 Section, a victim suffered bodily injury, the defendant may
16 be sentenced to an extended-term sentence under Section
17 5-8-2 of the Unified Code of Corrections. The sentencing
18 court must take into account the time in which the victim
19 was held in servitude, with increased penalties for cases
20 in which the victim was held for between 180 days and one
21 year, and increased penalties for cases in which the victim
22 was held for more than one year.

23 (2) Number of victims. In determining sentences within
24 statutory maximums, the sentencing court should take into
25 account the number of victims, and may provide for
26 substantially increased sentences in cases involving more

1 than 10 victims.

2 (g) Restitution. Restitution is mandatory under this
3 Section. In addition to any other amount of loss identified,
4 the court shall order restitution including the greater of (1)
5 the gross income or value to the defendant of the victim's
6 labor or services or (2) the value of the victim's labor as
7 guaranteed under the Minimum Wage Law and overtime provisions
8 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,
9 whichever is greater.

10 (g-5) Fine distribution. If the court imposes a fine under
11 subsection (b), (c), or (d) of this Section, it shall be
12 collected and distributed to the Specialized Services for
13 Survivors of Human Trafficking Fund in accordance with Section
14 5-9-1.21 of the Unified Code of Corrections.

15 (h) Trafficking victim services. Subject to the
16 availability of funds, the Department of Human Services may
17 provide or fund emergency services and assistance to
18 individuals who are victims of one or more offenses defined in
19 this Section.

20 (i) Certification. The Attorney General, a State's
21 Attorney, or any law enforcement official shall certify in
22 writing to the United States Department of Justice or other
23 federal agency, such as the United States Department of
24 Homeland Security, that an investigation or prosecution under
25 this Section has begun and the individual who is a likely
26 victim of a crime described in this Section is willing to

1 cooperate or is cooperating with the investigation to enable
2 the individual, if eligible under federal law, to qualify for
3 an appropriate special immigrant visa and to access available
4 federal benefits. Cooperation with law enforcement shall not be
5 required of victims of a crime described in this Section who
6 are under 18 years of age. This certification shall be made
7 available to the victim and his or her designated legal
8 representative.

9 (j) A person who commits involuntary servitude,
10 involuntary sexual servitude of a minor, or trafficking in
11 persons under subsection (b), (c), or (d) of this Section is
12 subject to the property forfeiture provisions set forth in
13 Article 124B of the Code of Criminal Procedure of 1963.

14 (Source: P.A. 97-897, eff. 1-1-13; 98-756, eff. 7-16-14;
15 98-1013, eff. 1-1-15.)

16 Section 10. The Sex Offender Registration Act is amended by
17 changing Section 2 as follows:

18 (730 ILCS 150/2) (from Ch. 38, par. 222)

19 Sec. 2. Definitions.

20 (A) As used in this Article, "sex offender" means any
21 person who is:

22 (1) charged pursuant to Illinois law, or any
23 substantially similar federal, Uniform Code of Military
24 Justice, sister state, or foreign country law, with a sex

1 offense set forth in subsection (B) of this Section or the
2 attempt to commit an included sex offense, and:

3 (a) is convicted of such offense or an attempt to
4 commit such 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 (2) declared as a sexually dangerous person pursuant to
5 the Illinois Sexually Dangerous Persons Act, or any
6 substantially similar federal, Uniform Code of Military
7 Justice, sister state, or foreign country law; or

8 (3) subject to the provisions of Section 2 of the
9 Interstate Agreements on Sexually Dangerous Persons Act;
10 or

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

15 (5) adjudicated a juvenile delinquent as the result of
16 committing or attempting to commit an act which, if
17 committed by an adult, would constitute any of the offenses
18 specified in item (B), (C), or (C-5) of this Section or a
19 violation of any substantially similar federal, Uniform
20 Code of Military Justice, sister state, or foreign country
21 law, or found guilty under Article V of the Juvenile Court
22 Act of 1987 of committing or attempting to commit an act
23 which, if committed by an adult, would constitute any of
24 the offenses specified in item (B), (C), or (C-5) of this
25 Section or a violation of any substantially similar
26 federal, Uniform Code of Military Justice, sister state, or

1 foreign country law.

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

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

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

10 (1) A violation of any of the following Sections of the
11 Criminal Code of 1961 or the Criminal Code of 2012:

12 11-20.1 (child pornography),

13 11-20.1B or 11-20.3 (aggravated child
14 pornography),

15 11-6 (indecent solicitation of a child),

16 11-9.1 (sexual exploitation of a child),

17 11-9.2 (custodial sexual misconduct),

18 11-9.5 (sexual misconduct with a person with a
19 disability),

20 11-14.4 (promoting juvenile prostitution),

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

22 11-18.1 (patronizing a juvenile prostitute),

23 11-17.1 (keeping a place of juvenile
24 prostitution),

25 11-19.1 (juvenile pimping),

26 11-19.2 (exploitation of a child),

1 11-25 (grooming),
2 11-26 (traveling to meet a minor or traveling to
3 meet a child),
4 11-1.20 or 12-13 (criminal sexual assault),
5 11-1.30 or 12-14 (aggravated criminal sexual
6 assault),
7 11-1.40 or 12-14.1 (predatory criminal sexual
8 assault of a child),
9 11-1.50 or 12-15 (criminal sexual abuse),
10 11-1.60 or 12-16 (aggravated criminal sexual
11 abuse),
12 12-33 (ritualized abuse of a child).

13 An attempt to commit any of these offenses.

14 (1.5) A violation of any of the following Sections of
15 the Criminal Code of 1961 or the Criminal Code of 2012,
16 when the victim is a person under 18 years of age, the
17 defendant is not a parent of the victim, the offense was
18 sexually motivated as defined in Section 10 of the Sex
19 Offender Evaluation and Treatment Act, and the offense was
20 committed on or after January 1, 1996:

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

25 If the offense was committed before January 1, 1996, it
26 is a sex offense requiring registration only when the

1 person is convicted of any felony after July 1, 2011, and
2 paragraph (2.1) of subsection (c) of Section 3 of this Act
3 applies.

4 (1.6) First degree murder under Section 9-1 of the
5 Criminal Code of 1961 or the Criminal Code of 2012,
6 provided the offense was sexually motivated as defined in
7 Section 10 of the Sex Offender Management Board Act.

8 (1.7) (Blank).

9 (1.8) A violation or attempted violation of Section
10 11-11 (sexual relations within families) of the Criminal
11 Code of 1961 or the Criminal Code of 2012, and the offense
12 was committed on or after June 1, 1997. If the offense was
13 committed before June 1, 1997, it is a sex offense
14 requiring registration only when the person is convicted of
15 any felony after July 1, 2011, and paragraph (2.1) of
16 subsection (c) of Section 3 of this Act applies.

17 (1.9) Child abduction under paragraph (10) of
18 subsection (b) of Section 10-5 of the Criminal Code of 1961
19 or the Criminal Code of 2012 committed by luring or
20 attempting to lure a child under the age of 16 into a motor
21 vehicle, building, house trailer, or dwelling place
22 without the consent of the parent or lawful custodian of
23 the child for other than a lawful purpose and the offense
24 was committed on or after January 1, 1998, provided the
25 offense was sexually motivated as defined in Section 10 of
26 the Sex Offender Management Board Act. If the offense was

1 committed before January 1, 1998, it is a sex offense
2 requiring registration only when the person is convicted of
3 any felony after July 1, 2011, and paragraph (2.1) of
4 subsection (c) of Section 3 of this Act applies.

5 (1.10) A violation or attempted violation of any of the
6 following Sections of the Criminal Code of 1961 or the
7 Criminal Code of 2012 when the offense was committed on or
8 after July 1, 1999:

9 10-4 (forcible detention, if the victim is under 18
10 years of age), provided the offense was sexually
11 motivated as defined in Section 10 of the Sex Offender
12 Management Board Act,

13 11-6.5 (indecent solicitation of an adult),

14 11-14.3 that involves soliciting for a prostitute,
15 or 11-15 (soliciting for a prostitute, if the victim is
16 under 18 years of age),

17 subdivision (a)(2)(A) or (a)(2)(B) of Section
18 11-14.3, or Section 11-16 (pandering, if the victim is
19 under 18 years of age),

20 11-18 (patronizing a prostitute, if the victim is
21 under 18 years of age),

22 subdivision (a)(2)(C) of Section 11-14.3, or
23 Section 11-19 (pimping, if the victim is under 18 years
24 of age).

25 If the offense was committed before July 1, 1999, it is
26 a sex offense requiring registration only when the person

1 is convicted of any felony after July 1, 2011, and
2 paragraph (2.1) of subsection (c) of Section 3 of this Act
3 applies.

4 (1.11) A violation or attempted violation of any of the
5 following Sections of the Criminal Code of 1961 or the
6 Criminal Code of 2012 when the offense was committed on or
7 after August 22, 2002:

8 11-9 or 11-30 (public indecency for a third or
9 subsequent conviction).

10 If the third or subsequent conviction was imposed
11 before August 22, 2002, it is a sex offense requiring
12 registration only when the person is convicted of any
13 felony after July 1, 2011, and paragraph (2.1) of
14 subsection (c) of Section 3 of this Act applies.

15 (1.12) A violation or attempted violation of Section
16 5.1 of the Wrongs to Children Act or Section 11-9.1A of the
17 Criminal Code of 1961 or the Criminal Code of 2012
18 (permitting sexual abuse) when the offense was committed on
19 or after August 22, 2002. If the offense was committed
20 before August 22, 2002, it is a sex offense requiring
21 registration only when the person is convicted of any
22 felony after July 1, 2011, and paragraph (2.1) of
23 subsection (c) of Section 3 of this Act applies.

24 (1.13) A violation or attempted violation of
25 subsection (c) of Section 10-9 of the Criminal Code of 2012
26 (involuntary sexual servitude of a minor) when the offense

1 was committed on or after January 1, 2019. If the offense
2 was committed before January 1, 2019, it is a sex offense
3 requiring registration only when the person is convicted of
4 any felony after January 1, 2019, and paragraph (2.1) of
5 subsection (c) of Section 3 of this Act applies.

6 (2) A violation of any former law of this State
7 substantially equivalent to any offense listed in
8 subsection (B) of this Section.

9 (C) A conviction for an offense of federal law, Uniform
10 Code of Military Justice, or the law of another state or a
11 foreign country that is substantially equivalent to any offense
12 listed in subsections (B), (C), (E), and (E-5) of this Section
13 shall constitute a conviction for the purpose of this Article.
14 A finding or adjudication as a sexually dangerous person or a
15 sexually violent person under any federal law, Uniform Code of
16 Military Justice, or the law of another state or foreign
17 country that is substantially equivalent to the Sexually
18 Dangerous Persons Act or the Sexually Violent Persons
19 Commitment Act shall constitute an adjudication for the
20 purposes of this Article.

21 (C-5) A person at least 17 years of age at the time of the
22 commission of the offense who is convicted of first degree
23 murder under Section 9-1 of the Criminal Code of 1961 or the
24 Criminal Code of 2012, against a person under 18 years of age,
25 shall be required to register for natural life. A conviction
26 for an offense of federal, Uniform Code of Military Justice,

1 sister state, or foreign country law that is substantially
2 equivalent to any offense listed in subsection (C-5) of this
3 Section shall constitute a conviction for the purpose of this
4 Article. This subsection (C-5) applies to a person who
5 committed the offense before June 1, 1996 if: (i) the person is
6 incarcerated in an Illinois Department of Corrections facility
7 on August 20, 2004 (the effective date of Public Act 93-977),
8 or (ii) subparagraph (i) does not apply and the person is
9 convicted of any felony after July 1, 2011, and paragraph (2.1)
10 of subsection (c) of Section 3 of this Act applies.

11 (C-6) A person who is convicted or adjudicated delinquent
12 of first degree murder as defined in Section 9-1 of the
13 Criminal Code of 1961 or the Criminal Code of 2012, against a
14 person 18 years of age or over, shall be required to register
15 for his or her natural life. A conviction for an offense of
16 federal, Uniform Code of Military Justice, sister state, or
17 foreign country law that is substantially equivalent to any
18 offense listed in subsection (C-6) of this Section shall
19 constitute a conviction for the purpose of this Article. This
20 subsection (C-6) does not apply to those individuals released
21 from incarceration more than 10 years prior to January 1, 2012
22 (the effective date of Public Act 97-154).

23 (D) As used in this Article, "law enforcement agency having
24 jurisdiction" means the Chief of Police in each of the
25 municipalities in which the sex offender expects to reside,
26 work, or attend school (1) upon his or her discharge, parole or

1 release or (2) during the service of his or her sentence of
2 probation or conditional discharge, or the Sheriff of the
3 county, in the event no Police Chief exists or if the offender
4 intends to reside, work, or attend school in an unincorporated
5 area. "Law enforcement agency having jurisdiction" includes
6 the location where out-of-state students attend school and
7 where out-of-state employees are employed or are otherwise
8 required to register.

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

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

14 (1) Convicted for an offense of federal, Uniform Code
15 of Military Justice, sister state, or foreign country law
16 that is substantially equivalent to any offense listed in
17 subsection (E) or (E-5) of this Section shall constitute a
18 conviction for the purpose of this Article. Convicted of a
19 violation or attempted violation of any of the following
20 Sections of the Criminal Code of 1961 or the Criminal Code
21 of 2012:

22 10-5.1 (luring of a minor),

23 11-14.4 that involves keeping a place of juvenile
24 prostitution, or 11-17.1 (keeping a place of juvenile
25 prostitution),

26 subdivision (a) (2) or (a) (3) of Section 11-14.4,

1 or Section 11-19.1 (juvenile pimping),
2 subdivision (a) (4) of Section 11-14.4, or Section
3 11-19.2 (exploitation of a child),
4 11-20.1 (child pornography),
5 11-20.1B or 11-20.3 (aggravated child
6 pornography),
7 11-1.20 or 12-13 (criminal sexual assault),
8 11-1.30 or 12-14 (aggravated criminal sexual
9 assault),
10 11-1.40 or 12-14.1 (predatory criminal sexual
11 assault of a child),
12 11-1.60 or 12-16 (aggravated criminal sexual
13 abuse),
14 12-33 (ritualized abuse of a child);
15 (2) (blank);
16 (3) declared as a sexually dangerous person pursuant to
17 the Sexually Dangerous Persons Act or any substantially
18 similar federal, Uniform Code of Military Justice, sister
19 state, or foreign country law;
20 (4) found to be a sexually violent person pursuant to
21 the Sexually Violent Persons Commitment Act or any
22 substantially similar federal, Uniform Code of Military
23 Justice, sister state, or foreign country law;
24 (5) convicted of a second or subsequent offense which
25 requires registration pursuant to this Act. For purposes of
26 this paragraph (5), "convicted" shall include a conviction

1 under any substantially similar Illinois, federal, Uniform
2 Code of Military Justice, sister state, or foreign country
3 law;

4 (6) (blank); or

5 (7) if the person was convicted of an offense set forth
6 in this subsection (E) on or before July 1, 1999, the
7 person is a sexual predator for whom registration is
8 required only when the person is convicted of a felony
9 offense after July 1, 2011, and paragraph (2.1) of
10 subsection (c) of Section 3 of this Act applies.

11 (E-5) As used in this Article, "sexual predator" also means
12 a person convicted of a violation or attempted violation of any
13 of the following Sections of the Criminal Code of 1961 or the
14 Criminal Code of 2012:

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

21 (2) Section 11-9.5 (sexual misconduct with a person
22 with a disability);

23 (3) when the victim is a person under 18 years of age,
24 the defendant is not a parent of the victim, the offense
25 was sexually motivated as defined in Section 10 of the Sex
26 Offender Management Board Act, and the offense was

1 committed on or after January 1, 1996: (A) Section 10-1
2 (kidnapping), (B) Section 10-2 (aggravated kidnapping),
3 (C) Section 10-3 (unlawful restraint), and (D) Section
4 10-3.1 (aggravated unlawful restraint); and

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

13 (E-10) As used in this Article, "sexual predator" also
14 means a person required to register in another State due to a
15 conviction, adjudication or other action of any court
16 triggering an obligation to register as a sex offender, sexual
17 predator, or substantially similar status under the laws of
18 that State.

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

26 (G) As used in this Article, "out-of-state employee" means

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

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

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

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

19 (Source: P.A. 100-428, eff. 1-1-18.)

20 Section 15. The Code of Civil Procedure is amended by
21 adding Section 13-202.4 as follows:

22 (735 ILCS 5/13-202.4 new)

23 Sec. 13-202.4. Victim of trafficking.

24 A victim of trafficking may bring a civil action against a

1 person who pleads guilty to or is convicted of a violation of
2 Section 10-9 of the Criminal Code of 2012 to recover actual
3 damages sustained by the victim, court costs, including
4 reasonable attorney's fees, and punitive damages determined by
5 the court. An action commenced under this Section shall be
6 filed within 10 years after the latest of the following events:

- 7 (1) the final order in the related case;
8 (2) the victim's emancipation from the defendant; or
9 (3) the victim's 18th birthday.