

HB3360



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3360

Introduced 2/22/2021, by Rep. Deanne M. Mazzochi - Chris Bos

SYNOPSIS AS INTRODUCED:

720 ILCS 5/10-9

730 ILCS 150/2

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 or after January 1, 2021.

LRB102 13532 KMF 18879 b

CORRECTIONAL
BUDGET AND
IMPACT 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 Criminal Code of 2012 is amended by
5 changing 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 Section
11 12-6.

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

15 (2.5) "Company" means any sole proprietorship,
16 organization, association, corporation, partnership, joint
17 venture, limited partnership, limited liability partnership,
18 limited liability limited partnership, limited liability
19 company, or other entity or business association, including
20 all wholly owned subsidiaries, majority-owned subsidiaries,
21 parent companies, or affiliates of those entities or business
22 associations, that exist for the purpose of making profit.

23 (3) "Financial harm" includes intimidation that brings

1 about financial loss, criminal usury, or employment contracts
2 that violate the Frauds Act.

3 (4) (Blank).

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

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

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

11 (7.5) "Serious harm" means any harm, whether physical or
12 nonphysical, including psychological, financial, or
13 reputational harm, that is sufficiently serious, under all the
14 surrounding circumstances, to compel a reasonable person of
15 the same background and in the same circumstances to perform
16 or to continue performing labor or services in order to avoid
17 incurring that harm.

18 (8) "Services" means activities resulting from a
19 relationship between a person and the actor in which the
20 person performs activities under the supervision of or for the
21 benefit of the actor. Commercial sexual activity and
22 sexually-explicit performances are forms of activities that
23 are "services" under this Section. Nothing in this definition
24 may be construed to legitimize or legalize prostitution.

25 (9) "Sexually-explicit performance" means a live,
26 recorded, broadcast (including over the Internet), or public

1 act or show intended to arouse or satisfy the sexual desires or
2 appeal to the prurient interests of patrons.

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

5 (b) Involuntary servitude. A person commits involuntary
6 servitude when he or she knowingly subjects, attempts to
7 subject, or engages in a conspiracy to subject another person
8 to labor or services obtained or maintained through any of the
9 following means, or any combination of these means:

10 (1) causes or threatens to cause physical harm to any
11 person;

12 (2) physically restrains or threatens to physically
13 restrain another person;

14 (3) abuses or threatens to abuse the law or legal
15 process;

16 (4) knowingly destroys, conceals, removes,
17 confiscates, or possesses any actual or purported passport
18 or other immigration document, or any other actual or
19 purported government identification document, of another
20 person;

21 (5) uses intimidation, or exerts financial control
22 over any person; or

23 (6) uses any scheme, plan, or pattern intended to
24 cause the person to believe that, if the person did not
25 perform the labor or services, that person or another
26 person would suffer serious harm or physical restraint.

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

8 (c) Involuntary sexual servitude of a minor. A person
9 commits involuntary sexual servitude of a minor when he or she
10 knowingly recruits, entices, harbors, transports, provides, or
11 obtains by any means, or attempts to recruit, entice, harbor,
12 provide, or obtain by any means, another person under 18 years
13 of age, knowing that the minor will engage in commercial
14 sexual activity, a sexually-explicit performance, or the
15 production of pornography, or causes or attempts to cause a
16 minor to engage in one or more of those activities and:

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

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

21 (3) there is overt force or threat.

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

1 (d) Trafficking in persons. A person commits trafficking
2 in persons when he or she knowingly: (1) recruits, entices,
3 harbors, transports, provides, or obtains by any means, or
4 attempts to recruit, entice, harbor, transport, provide, or
5 obtain by any means, another person, intending or knowing that
6 the person will be subjected to involuntary servitude; or (2)
7 benefits, financially or by receiving anything of value, from
8 participation in a venture that has engaged in an act of
9 involuntary servitude or involuntary sexual servitude of a
10 minor. A company commits trafficking in persons when the
11 company knowingly benefits, financially or by receiving
12 anything of value, from participation in a venture that has
13 engaged in an act of involuntary servitude or involuntary
14 sexual servitude of a minor.

15 Sentence. ~~A Except as otherwise provided in subsection (e)~~
16 ~~or (f),~~ a violation of this subsection (d) by a person is a
17 Class x ± felony. A violation of this subsection by a company
18 is a business offense for which a fine of up to \$100,000 may be
19 imposed.

20 (e) Aggravating factors. A violation of this Section
21 involving kidnapping or an attempt to kidnap, aggravated
22 criminal sexual assault or an attempt to commit aggravated
23 criminal sexual assault, or an attempt to commit first degree
24 murder is a Class X felony for which the person shall be
25 sentenced to a term of imprisonment of not less than 12 years
26 and not more than 30 years.

1 (f) Sentencing considerations.

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

11 (2) Number of victims. In determining sentences within
12 statutory maximums, the sentencing court should take into
13 account the number of victims, and may provide for
14 substantially increased sentences in cases involving more
15 than 10 victims.

16 (g) Restitution. Restitution is mandatory under this
17 Section. In addition to any other amount of loss identified,
18 the court shall order restitution including the greater of (1)
19 the gross income or value to the defendant of the victim's
20 labor or services or (2) the value of the victim's labor as
21 guaranteed under the Minimum Wage Law and overtime provisions
22 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,
23 whichever is greater.

24 (g-5) Fine distribution. If the court imposes a fine under
25 subsection (b), (c), or (d) of this Section, it shall be
26 collected and distributed to the Specialized Services for

1 Survivors of Human Trafficking Fund in accordance with Section
2 5-9-1.21 of the Unified Code of Corrections.

3 (h) Trafficking victim services. Subject to the
4 availability of funds, the Department of Human Services may
5 provide or fund emergency services and assistance to
6 individuals who are victims of one or more offenses defined in
7 this Section.

8 (i) Certification. The Attorney General, a State's
9 Attorney, or any law enforcement official shall certify in
10 writing to the United States Department of Justice or other
11 federal agency, such as the United States Department of
12 Homeland Security, that an investigation or prosecution under
13 this Section has begun and the individual who is a likely
14 victim of a crime described in this Section is willing to
15 cooperate or is cooperating with the investigation to enable
16 the individual, if eligible under federal law, to qualify for
17 an appropriate special immigrant visa and to access available
18 federal benefits. Cooperation with law enforcement shall not
19 be required of victims of a crime described in this Section who
20 are under 18 years of age. This certification shall be made
21 available to the victim and his or her designated legal
22 representative.

23 (j) A person who commits involuntary servitude,
24 involuntary sexual servitude of a minor, or trafficking in
25 persons under subsection (b), (c), or (d) of this Section is
26 subject to the property forfeiture provisions set forth in

1 Article 124B of the Code of Criminal Procedure of 1963.

2 (Source: P.A. 101-18, eff. 1-1-20.)

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

5 (730 ILCS 150/2) (from Ch. 38, par. 222)

6 Sec. 2. Definitions.

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

9 (1) charged pursuant to Illinois law, or any
10 substantially similar federal, Uniform Code of Military
11 Justice, sister state, or foreign country law, with a sex
12 offense set forth in subsection (B) of this Section or the
13 attempt to commit an included sex offense, and:

14 (a) is convicted of such offense or an attempt to
15 commit such offense; or

16 (b) is found not guilty by reason of insanity of
17 such offense or an attempt to commit such offense; or

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

22 (d) is the subject of a finding not resulting in an
23 acquittal at a hearing conducted pursuant to Section
24 104-25(a) of the Code of Criminal Procedure of 1963

1 for the alleged commission or attempted commission of
2 such offense; or

3 (e) is found not guilty by reason of insanity
4 following a hearing conducted pursuant to a federal,
5 Uniform Code of Military Justice, sister state, or
6 foreign country law substantially similar to Section
7 104-25(c) of the Code of Criminal Procedure of 1963 of
8 such offense or of the attempted commission of such
9 offense; or

10 (f) is the subject of a finding not resulting in an
11 acquittal at a hearing conducted pursuant to a
12 federal, Uniform Code of Military Justice, sister
13 state, or foreign country law substantially similar to
14 Section 104-25(a) of the Code of Criminal Procedure of
15 1963 for the alleged violation or attempted commission
16 of such offense; or

17 (2) declared as a sexually dangerous person pursuant
18 to the Illinois Sexually Dangerous Persons Act, or any
19 substantially similar federal, Uniform Code of Military
20 Justice, sister state, or foreign country law; or

21 (3) subject to the provisions of Section 2 of the
22 Interstate Agreements on Sexually Dangerous Persons Act;
23 or

24 (4) found to be a sexually violent person pursuant to
25 the Sexually Violent Persons Commitment Act or any
26 substantially similar federal, Uniform Code of Military

1 Justice, sister state, or foreign country law; or

2 (5) adjudicated a juvenile delinquent as the result of
3 committing or attempting to commit an act which, if
4 committed by an adult, would constitute any of the
5 offenses specified in item (B), (C), or (C-5) of this
6 Section or a violation of any substantially similar
7 federal, Uniform Code of Military Justice, sister state,
8 or foreign country law, or found guilty under Article V of
9 the Juvenile Court Act of 1987 of committing or attempting
10 to commit an act which, if committed by an adult, would
11 constitute any of the offenses specified in item (B), (C),
12 or (C-5) of this Section or a violation of any
13 substantially similar federal, Uniform Code of Military
14 Justice, sister state, or foreign country law.

15 Convictions that result from or are connected with the
16 same act, or result from offenses committed at the same time,
17 shall be counted for the purpose of this Article as one
18 conviction. Any conviction set aside pursuant to law is not a
19 conviction for purposes of this Article.

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

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

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

25 11-20.1 (child pornography),

26 11-20.1B or 11-20.3 (aggravated child

1 pornography),
2 11-6 (indecent solicitation of a child),
3 11-9.1 (sexual exploitation of a child),
4 11-9.2 (custodial sexual misconduct),
5 11-9.5 (sexual misconduct with a person with a
6 disability),
7 11-14.4 (promoting juvenile prostitution),
8 11-15.1 (soliciting for a juvenile prostitute),
9 11-18.1 (patronizing a juvenile prostitute),
10 11-17.1 (keeping a place of juvenile
11 prostitution),
12 11-19.1 (juvenile pimping),
13 11-19.2 (exploitation of a child),
14 11-25 (grooming),
15 11-26 (traveling to meet a minor or traveling to
16 meet a child),
17 11-1.20 or 12-13 (criminal sexual assault),
18 11-1.30 or 12-14 (aggravated criminal sexual
19 assault),
20 11-1.40 or 12-14.1 (predatory criminal sexual
21 assault of a child),
22 11-1.50 or 12-15 (criminal sexual abuse),
23 11-1.60 or 12-16 (aggravated criminal sexual
24 abuse),
25 12-33 (ritualized abuse of a child).
26 An attempt to commit any of these offenses.

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

8 10-1 (kidnapping),

9 10-2 (aggravated kidnapping),

10 10-3 (unlawful restraint),

11 10-3.1 (aggravated unlawful restraint).

12 If the offense was committed before January 1, 1996,
13 it is a sex offense requiring registration only when the
14 person is convicted of any felony after July 1, 2011, and
15 paragraph (2.1) of subsection (c) of Section 3 of this Act
16 applies.

17 (1.6) First degree murder under Section 9-1 of the
18 Criminal Code of 1961 or the Criminal Code of 2012,
19 provided the offense was sexually motivated as defined in
20 Section 10 of the Sex Offender Management Board Act.

21 (1.7) (Blank).

22 (1.8) A violation or attempted violation of Section
23 11-11 (sexual relations within families) of the Criminal
24 Code of 1961 or the Criminal Code of 2012, and the offense
25 was committed on or after June 1, 1997. If the offense was
26 committed before June 1, 1997, it is a sex offense

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

4 (1.9) Child abduction under paragraph (10) of
5 subsection (b) of Section 10-5 of the Criminal Code of
6 1961 or the Criminal Code of 2012 committed by luring or
7 attempting to lure a child under the age of 16 into a motor
8 vehicle, building, house trailer, or dwelling place
9 without the consent of the parent or lawful custodian of
10 the child for other than a lawful purpose and the offense
11 was committed on or after January 1, 1998, provided the
12 offense was sexually motivated as defined in Section 10 of
13 the Sex Offender Management Board Act. If the offense was
14 committed before January 1, 1998, it is a sex offense
15 requiring registration only when the person is convicted
16 of any felony after July 1, 2011, and paragraph (2.1) of
17 subsection (c) of Section 3 of this Act applies.

18 (1.10) A violation or attempted violation of any of
19 the following Sections of the Criminal Code of 1961 or the
20 Criminal Code of 2012 when the offense was committed on or
21 after July 1, 1999:

22 10-4 (forcible detention, if the victim is under
23 18 years of age), provided the offense was sexually
24 motivated as defined in Section 10 of the Sex Offender
25 Management Board Act,

26 11-6.5 (indecent solicitation of an adult),

1 11-14.3 that involves soliciting for a prostitute,
2 or 11-15 (soliciting for a prostitute, if the victim
3 is under 18 years of age),

4 subdivision (a)(2)(A) or (a)(2)(B) of Section
5 11-14.3, or Section 11-16 (pandering, if the victim is
6 under 18 years of age),

7 11-18 (patronizing a prostitute, if the victim is
8 under 18 years of age),

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

12 If the offense was committed before July 1, 1999, it
13 is a sex offense requiring registration only when the
14 person is convicted of any felony after July 1, 2011, and
15 paragraph (2.1) of subsection (c) of Section 3 of this Act
16 applies.

17 (1.11) A violation or attempted violation of any of
18 the following Sections of the Criminal Code of 1961 or the
19 Criminal Code of 2012 when the offense was committed on or
20 after August 22, 2002:

21 11-9 or 11-30 (public indecency for a third or
22 subsequent conviction).

23 If the third or subsequent conviction was imposed
24 before August 22, 2002, it is a sex offense requiring
25 registration only when the person is convicted of any
26 felony after July 1, 2011, and paragraph (2.1) of

1 subsection (c) of Section 3 of this Act applies.

2 (1.12) A violation or attempted violation of Section
3 5.1 of the Wrongs to Children Act or Section 11-9.1A of the
4 Criminal Code of 1961 or the Criminal Code of 2012
5 (permitting sexual abuse) when the offense was committed
6 on or after August 22, 2002. If the offense was committed
7 before August 22, 2002, it is a sex offense requiring
8 registration only when the person is convicted of any
9 felony after July 1, 2011, and paragraph (2.1) of
10 subsection (c) of Section 3 of this Act applies.

11 (1.13) A violation or attempted violation of
12 subsection (c) of Section 10-9 of the Criminal Code of
13 2012 (involuntary sexual servitude of a minor) when the
14 offense was committed on or after January 1, 2021. If the
15 offense was committed before January 1, 2021, it is a sex
16 offense requiring registration only when the person is
17 convicted of any felony on or after January 1, 2021, and
18 paragraph (2.1) of subsection (c) of Section 3 of this Act
19 applies.

20 (2) A violation of any former law of this State
21 substantially equivalent to any offense listed in
22 subsection (B) of this Section.

23 (C) A conviction for an offense of federal law, Uniform
24 Code of Military Justice, or the law of another state or a
25 foreign country that is substantially equivalent to any
26 offense listed in subsections (B), (C), (E), and (E-5) of this

1 Section shall constitute a conviction for the purpose of this
2 Article. A finding or adjudication as a sexually dangerous
3 person or a sexually violent person under any federal law,
4 Uniform Code of Military Justice, or the law of another state
5 or foreign country that is substantially equivalent to the
6 Sexually Dangerous Persons Act or the Sexually Violent Persons
7 Commitment Act shall constitute an adjudication for the
8 purposes of this Article.

9 (C-5) A person at least 17 years of age at the time of the
10 commission of the offense who is convicted of first degree
11 murder under Section 9-1 of the Criminal Code of 1961 or the
12 Criminal Code of 2012, against a person under 18 years of age,
13 shall be required to register for natural life. A conviction
14 for an offense of federal, Uniform Code of Military Justice,
15 sister state, or foreign country law that is substantially
16 equivalent to any offense listed in subsection (C-5) of this
17 Section shall constitute a conviction for the purpose of this
18 Article. This subsection (C-5) applies to a person who
19 committed the offense before June 1, 1996 if: (i) the person is
20 incarcerated in an Illinois Department of Corrections facility
21 on August 20, 2004 (the effective date of Public Act 93-977),
22 or (ii) subparagraph (i) does not apply and the person is
23 convicted of any felony after July 1, 2011, and paragraph
24 (2.1) of subsection (c) of Section 3 of this Act applies.

25 (C-6) A person who is convicted or adjudicated delinquent
26 of first degree murder as defined in Section 9-1 of the

1 Criminal Code of 1961 or the Criminal Code of 2012, against a
2 person 18 years of age or over, shall be required to register
3 for his or her natural life. A conviction for an offense of
4 federal, Uniform Code of Military Justice, sister state, or
5 foreign country law that is substantially equivalent to any
6 offense listed in subsection (C-6) of this Section shall
7 constitute a conviction for the purpose of this Article. This
8 subsection (C-6) does not apply to those individuals released
9 from incarceration more than 10 years prior to January 1, 2012
10 (the effective date of Public Act 97-154).

11 (D) As used in this Article, "law enforcement agency
12 having jurisdiction" means the Chief of Police in each of the
13 municipalities in which the sex offender expects to reside,
14 work, or attend school (1) upon his or her discharge, parole or
15 release or (2) during the service of his or her sentence of
16 probation or conditional discharge, or the Sheriff of the
17 county, in the event no Police Chief exists or if the offender
18 intends to reside, work, or attend school in an unincorporated
19 area. "Law enforcement agency having jurisdiction" includes
20 the location where out-of-state students attend school and
21 where out-of-state employees are employed or are otherwise
22 required to register.

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

26 (E) As used in this Article, "sexual predator" means any

1 person who, after July 1, 1999, is:

2 (1) Convicted for an offense of federal, Uniform Code
3 of Military Justice, sister state, or foreign country law
4 that is substantially equivalent to any offense listed in
5 subsection (E) or (E-5) of this Section shall constitute a
6 conviction for the purpose of this Article. Convicted of a
7 violation or attempted violation of any of the following
8 Sections of the Criminal Code of 1961 or the Criminal Code
9 of 2012:

10 10-5.1 (luring of a minor),

11 11-14.4 that involves keeping a place of juvenile
12 prostitution, or 11-17.1 (keeping a place of juvenile
13 prostitution),

14 subdivision (a) (2) or (a) (3) of Section 11-14.4,
15 or Section 11-19.1 (juvenile pimping),

16 subdivision (a) (4) of Section 11-14.4, or Section
17 11-19.2 (exploitation of a child),

18 11-20.1 (child pornography),

19 11-20.1B or 11-20.3 (aggravated child
20 pornography),

21 11-1.20 or 12-13 (criminal sexual assault),

22 11-1.30 or 12-14 (aggravated criminal sexual
23 assault),

24 11-1.40 or 12-14.1 (predatory criminal sexual
25 assault of a child),

26 11-1.60 or 12-16 (aggravated criminal sexual

1 abuse),

2 12-33 (ritualized abuse of a child);

3 (2) (blank);

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

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

12 (5) convicted of a second or subsequent offense which
13 requires registration pursuant to this Act. For purposes
14 of this paragraph (5), "convicted" shall include a
15 conviction under any substantially similar Illinois,
16 federal, Uniform Code of Military Justice, sister state,
17 or foreign country law;

18 (6) (blank); or

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

25 (E-5) As used in this Article, "sexual predator" also
26 means a person convicted of a violation or attempted violation

1 of any of the following Sections of the Criminal Code of 1961
2 or the Criminal Code of 2012:

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

9 (2) Section 11-9.5 (sexual misconduct with a person
10 with a disability);

11 (3) when the victim is a person under 18 years of age,
12 the defendant is not a parent of the victim, the offense
13 was sexually motivated as defined in Section 10 of the Sex
14 Offender Management Board Act, and the offense was
15 committed on or after January 1, 1996: (A) Section 10-1
16 (kidnapping), (B) Section 10-2 (aggravated kidnapping),
17 (C) Section 10-3 (unlawful restraint), and (D) Section
18 10-3.1 (aggravated unlawful restraint); and

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

1 (E-10) As used in this Article, "sexual predator" also
2 means a person required to register in another State due to a
3 conviction, adjudication or other action of any court
4 triggering an obligation to register as a sex offender, sexual
5 predator, or substantially similar status under the laws of
6 that State.

7 (F) As used in this Article, "out-of-state student" means
8 any sex offender, as defined in this Section, or sexual
9 predator who is enrolled in Illinois, on a full-time or
10 part-time basis, in any public or private educational
11 institution, including, but not limited to, any secondary
12 school, trade or professional institution, or institution of
13 higher learning.

14 (G) As used in this Article, "out-of-state employee" means
15 any sex offender, as defined in this Section, or sexual
16 predator who works in Illinois, regardless of whether the
17 individual receives payment for services performed, for a
18 period of time of 10 or more days or for an aggregate period of
19 time of 30 or more days during any calendar year. Persons who
20 operate motor vehicles in the State accrue one day of
21 employment time for any portion of a day spent in Illinois.

22 (H) As used in this Article, "school" means any public or
23 private educational institution, including, but not limited
24 to, any elementary or secondary school, trade or professional
25 institution, or institution of higher education.

26 (I) As used in this Article, "fixed residence" means any

1 and all places that a sex offender resides for an aggregate
2 period of time of 5 or more days in a calendar year.

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

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