



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB4815

Introduced 1/27/2022, by Rep. Sue Scherer

#### SYNOPSIS AS INTRODUCED:

20 ILCS 210/5 from Ch. 127, par. 1705  
720 ILCS 5/11-9.3  
720 ILCS 5/11-9.4-1  
720 ILCS 5/11-9.6 new

Amends the State Fair Act. Provides that before a person is employed, permitted to perform, or act as a vendor at the State Fair at Springfield or DuQuoin, the Department of Agriculture, through the Illinois State Police, shall conduct a background check on the person to determine whether the person is a sex offender as defined in the Sex Offender Management Board Act. Provides that the person seeking employment, permission to perform, or acting as a vendor at the State Fair at Springfield or DuQuoin is required as a condition of employment, permission to perform, or act as a vendor to authorize an investigation to determine if the applicant has been convicted of any sex offense as defined in the Sex Offender Management Board Act, or adjudicated a delinquent minor for any sex offense. Provides that authorization for the investigation shall be furnished by the applicant to the Department of Agriculture. Provides that upon receipt of this authorization, the Department shall submit the applicant's name, sex, race, date of birth, and social security number to the Illinois State Police on forms prescribed by the Illinois State Police. Provides that the Illinois State Police shall conduct a search of the Illinois criminal history record information database to ascertain if the applicant being considered is a sex offender. Provides that the Illinois State Police shall charge the Department a fee for conducting the investigation, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry. Provides that the applicant shall not be charged a fee by the Department for the investigation. Provides that if the background check discloses that the person is a sex offender, the Department shall inform the person and that person shall not be employed, perform, or be a vendor at the State Fair at Springfield or DuQuoin. Amends the Criminal Code of 2012. Provides that it is unlawful for a sex offender to be present, employed, performing, or a vendor at the State Fair at Springfield or DuQuoin. Provides that a violation is a Class 4 felony. Effective immediately.

LRB102 24837 RLC 34083 b

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 State Fair Act is amended by changing  
5 Section 5 as follows:

6 (20 ILCS 210/5) (from Ch. 127, par. 1705)

7 Sec. 5. State Fair at Springfield and DuQuoin; background  
8 check of prospective employees, performers, and vendors.

9 (a) The Department shall annually hold a State Fair at  
10 Springfield and DuQuoin to promote agriculture, the  
11 agriculture industry, and provide for exhibits and activities  
12 in the fields of industry, education, the arts and crafts,  
13 labor, entertainment and other areas of interest to the people  
14 of the State.

15 (b) Before a person is employed, permitted to perform, or  
16 act as a vendor at the State Fair at Springfield or DuQuoin,  
17 the Department, through the Illinois State Police, shall  
18 conduct a background check on the person to determine whether  
19 the person is a sex offender as defined in Section 10 of the  
20 Sex Offender Management Board Act. The person seeking  
21 employment, permission to perform, or acting as a vendor at  
22 the State Fair at Springfield or DuQuoin is required as a  
23 condition of employment, permission to perform, or act as a

1 vendor to authorize an investigation to determine if the  
2 applicant has been convicted of any sex offense as defined in  
3 Section 10 of the Sex Offender Management Board Act, or  
4 adjudicated a delinquent minor for any sex offense.  
5 Authorization for the investigation shall be furnished by the  
6 applicant to the Department. Upon receipt of this  
7 authorization, the Department shall submit the applicant's  
8 name, sex, race, date of birth, and social security number to  
9 the Illinois State Police on forms prescribed by the Illinois  
10 State Police. The Illinois State Police shall conduct a search  
11 of the Illinois criminal history record information database  
12 to ascertain if the applicant being considered is a sex  
13 offender. The Illinois State Police shall charge the  
14 Department a fee for conducting the investigation, which fee  
15 shall be deposited in the State Police Services Fund and shall  
16 not exceed the cost of the inquiry. The applicant shall not be  
17 charged a fee by the Department for the investigation. If the  
18 background check discloses that the person is a sex offender,  
19 the Department shall inform the person and that person shall  
20 not be employed, perform, or be a vendor at the State Fair at  
21 Springfield or DuQuoin.

22 (Source: P.A. 84-1468.)

23 Section 10. The Criminal Code of 2012 is amended by  
24 changing Sections 11-9.3 and 11-9.4-1 and by adding Section  
25 11-9.6 as follows:

1 (720 ILCS 5/11-9.3)

2 Sec. 11-9.3. Presence within school zone by child sex  
3 offenders prohibited; approaching, contacting, residing with,  
4 or communicating with a child within certain places by child  
5 sex offenders prohibited.

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

1 president must inform the principal of the school where the  
2 sex offender will be present. Notification includes the nature  
3 of the sex offender's visit and the hours in which the sex  
4 offender will be present in the school. The sex offender is  
5 responsible for notifying the principal's office when he or  
6 she arrives on school property and when he or she departs from  
7 school property. If the sex offender is to be present in the  
8 vicinity of children, the sex offender has the duty to remain  
9 under the direct supervision of a school official.

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

16 (a-10) It is unlawful for a child sex offender to  
17 knowingly be present in any public park building, a playground  
18 or recreation area within any publicly accessible privately  
19 owned building, or on real property comprising any public park  
20 when persons under the age of 18 are present in the building or  
21 on the grounds and to approach, contact, or communicate with a  
22 child under 18 years of age, unless the offender is a parent or  
23 guardian of a person under 18 years of age present in the  
24 building or on the grounds.

25 (b) It is unlawful for a child sex offender to knowingly  
26 loiter within 500 feet of a school building or real property

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

26 (b-2) It is unlawful for a child sex offender to knowingly

1 loiter on a public way within 500 feet of a public park  
2 building or real property comprising any public park while  
3 persons under the age of 18 are present in the building or on  
4 the grounds and to approach, contact, or communicate with a  
5 child under 18 years of age, unless the offender is a parent or  
6 guardian of a person under 18 years of age present in the  
7 building or on the grounds.

8 (b-5) It is unlawful for a child sex offender to knowingly  
9 reside within 500 feet of a school building or the real  
10 property comprising any school that persons under the age of  
11 18 attend. Nothing in this subsection (b-5) prohibits a child  
12 sex offender from residing within 500 feet of a school  
13 building or the real property comprising any school that  
14 persons under 18 attend if the property is owned by the child  
15 sex offender and was purchased before July 7, 2000 (the  
16 effective date of Public Act 91-911).

17 (b-10) It is unlawful for a child sex offender to  
18 knowingly reside within 500 feet of a playground, child care  
19 institution, day care center, part day child care facility,  
20 day care home, group day care home, or a facility providing  
21 programs or services exclusively directed toward persons under  
22 18 years of age. Nothing in this subsection (b-10) prohibits a  
23 child sex offender from residing within 500 feet of a  
24 playground or a facility providing programs or services  
25 exclusively directed toward persons under 18 years of age if  
26 the property is owned by the child sex offender and was

1 purchased before July 7, 2000. Nothing in this subsection  
2 (b-10) prohibits a child sex offender from residing within 500  
3 feet of a child care institution, day care center, or part day  
4 child care facility if the property is owned by the child sex  
5 offender and was purchased before June 26, 2006. Nothing in  
6 this subsection (b-10) prohibits a child sex offender from  
7 residing within 500 feet of a day care home or group day care  
8 home if the property is owned by the child sex offender and was  
9 purchased before August 14, 2008 (the effective date of Public  
10 Act 95-821).

11 (b-15) It is unlawful for a child sex offender to  
12 knowingly reside within 500 feet of the victim of the sex  
13 offense. Nothing in this subsection (b-15) prohibits a child  
14 sex offender from residing within 500 feet of the victim if the  
15 property in which the child sex offender resides is owned by  
16 the child sex offender and was purchased before August 22,  
17 2002.

18 This subsection (b-15) does not apply if the victim of the  
19 sex offense is 21 years of age or older.

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



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

21 (c-2) It is unlawful for a child sex offender to  
22 participate in a holiday event involving children under 18  
23 years of age, including but not limited to distributing candy  
24 or other items to children on Halloween, wearing a Santa Claus  
25 costume on or preceding Christmas, being employed as a  
26 department store Santa Claus, or wearing an Easter Bunny

1 costume on or preceding Easter. For the purposes of this  
2 subsection, child sex offender has the meaning as defined in  
3 this Section, but does not include as a sex offense under  
4 paragraph (2) of subsection (d) of this Section, the offense  
5 under subsection (c) of Section 11-1.50 of this Code. This  
6 subsection does not apply to a child sex offender who is a  
7 parent or guardian of children under 18 years of age that are  
8 present in the home and other non-familial minors are not  
9 present.

10 (c-5) It is unlawful for a child sex offender to knowingly  
11 operate, manage, be employed by, or be associated with any  
12 county fair when persons under the age of 18 are present or at  
13 the State Fair at Springfield or DuQuoin regardless as to  
14 whether persons under the age of 18 are present.

15 (c-6) It is unlawful for a child sex offender who owns and  
16 resides at residential real estate to knowingly rent any  
17 residential unit within the same building in which he or she  
18 resides to a person who is the parent or guardian of a child or  
19 children under 18 years of age. This subsection shall apply  
20 only to leases or other rental arrangements entered into after  
21 January 1, 2009 (the effective date of Public Act 95-820).

22 (c-7) It is unlawful for a child sex offender to knowingly  
23 offer or provide any programs or services to persons under 18  
24 years of age in his or her residence or the residence of  
25 another or in any facility for the purpose of offering or  
26 providing such programs or services, whether such programs or

1 services are offered or provided by contract, agreement,  
2 arrangement, or on a volunteer basis.

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

10 (d) Definitions. In this Section:

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

12 (i) has been charged under Illinois law, or any  
13 substantially similar federal law or law of another  
14 state, with a sex offense set forth in paragraph (2) of  
15 this subsection (d) or the attempt to commit an  
16 included sex offense, and the victim is a person under  
17 18 years of age at the time of the offense; and:

18 (A) is convicted of such offense or an attempt  
19 to commit such offense; or

20 (B) is found not guilty by reason of insanity  
21 of such offense or an attempt to commit such  
22 offense; or

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

1 (D) is the subject of a finding not resulting  
2 in an acquittal at a hearing conducted pursuant to  
3 subsection (a) of Section 104-25 of the Code of  
4 Criminal Procedure of 1963 for the alleged  
5 commission or attempted commission of such  
6 offense; or

7 (E) is found not guilty by reason of insanity  
8 following a hearing conducted pursuant to a  
9 federal law or the law of another state  
10 substantially similar to subsection (c) of Section  
11 104-25 of the Code of Criminal Procedure of 1963  
12 of such offense or of the attempted commission of  
13 such offense; or

14 (F) is the subject of a finding not resulting  
15 in an acquittal at a hearing conducted pursuant to  
16 a federal law or the law of another state  
17 substantially similar to subsection (a) of Section  
18 104-25 of the Code of Criminal Procedure of 1963  
19 for the alleged violation or attempted commission  
20 of such offense; or

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

1 (iii) is subject to the provisions of Section 2 of  
2 the Interstate Agreements on Sexually Dangerous  
3 Persons Act.

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

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

11 (i) A violation of any of the following Sections  
12 of the Criminal Code of 1961 or the Criminal Code of  
13 2012: 10-4 (forcible detention), 10-7 (aiding or  
14 abetting child abduction under Section 10-5(b)(10)),  
15 10-5(b)(10) (child luring), 11-1.40 (predatory  
16 criminal sexual assault of a child), 11-6 (indecent  
17 solicitation of a child), 11-6.5 (indecent  
18 solicitation of an adult), 11-9.1 (sexual exploitation  
19 of a child), 11-9.2 (custodial sexual misconduct),  
20 11-9.5 (sexual misconduct with a person with a  
21 disability), 11-11 (sexual relations within families),  
22 11-14.3(a)(1) (promoting prostitution by advancing  
23 prostitution), 11-14.3(a)(2)(A) (promoting  
24 prostitution by profiting from prostitution by  
25 compelling a person to be a prostitute),  
26 11-14.3(a)(2)(C) (promoting prostitution by profiting

1 from prostitution by means other than as described in  
2 subparagraphs (A) and (B) of paragraph (2) of  
3 subsection (a) of Section 11-14.3), 11-14.4 (promoting  
4 juvenile prostitution), 11-18.1 (patronizing a  
5 juvenile prostitute), 11-20.1 (child pornography),  
6 11-20.1B (aggravated child pornography), 11-21  
7 (harmful material), 11-25 (grooming), 11-26 (traveling  
8 to meet a minor or traveling to meet a child), 12-33  
9 (ritualized abuse of a child), 11-20 (obscenity) (when  
10 that offense was committed in any school, on real  
11 property comprising any school, in any conveyance  
12 owned, leased, or contracted by a school to transport  
13 students to or from school or a school related  
14 activity, or in a public park), 11-30 (public  
15 indecency) (when committed in a school, on real  
16 property comprising a school, in any conveyance owned,  
17 leased, or contracted by a school to transport  
18 students to or from school or a school related  
19 activity, or in a public park). An attempt to commit  
20 any of these offenses.

21 (ii) A violation of any of the following Sections  
22 of the Criminal Code of 1961 or the Criminal Code of  
23 2012, when the victim is a person under 18 years of  
24 age: 11-1.20 (criminal sexual assault), 11-1.30  
25 (aggravated criminal sexual assault), 11-1.50  
26 (criminal sexual abuse), 11-1.60 (aggravated criminal

1 sexual abuse). An attempt to commit any of these  
2 offenses.

3 (iii) A violation of any of the following Sections  
4 of the Criminal Code of 1961 or the Criminal Code of  
5 2012, when the victim is a person under 18 years of age  
6 and the defendant is not a parent of the victim:

7 10-1 (kidnapping),

8 10-2 (aggravated kidnapping),

9 10-3 (unlawful restraint),

10 10-3.1 (aggravated unlawful restraint),

11 11-9.1(A) (permitting sexual abuse of a child).

12 An attempt to commit any of these offenses.

13 (iv) A violation of any former law of this State  
14 substantially equivalent to any offense listed in  
15 clause (2)(i) or (2)(ii) of subsection (d) of this  
16 Section.

17 (2.5) For the purposes of subsections (b-5) and (b-10)  
18 only, a sex offense means:

19 (i) A violation of any of the following Sections  
20 of the Criminal Code of 1961 or the Criminal Code of  
21 2012:

22 10-5(b)(10) (child luring), 10-7 (aiding or  
23 abetting child abduction under Section 10-5(b)(10)),

24 11-1.40 (predatory criminal sexual assault of a  
25 child), 11-6 (indecent solicitation of a child),

26 11-6.5 (indecent solicitation of an adult), 11-9.2

1 (custodial sexual misconduct), 11-9.5 (sexual  
2 misconduct with a person with a disability), 11-11  
3 (sexual relations within families), 11-14.3(a)(1)  
4 (promoting prostitution by advancing prostitution),  
5 11-14.3(a)(2)(A) (promoting prostitution by profiting  
6 from prostitution by compelling a person to be a  
7 prostitute), 11-14.3(a)(2)(C) (promoting prostitution  
8 by profiting from prostitution by means other than as  
9 described in subparagraphs (A) and (B) of paragraph  
10 (2) of subsection (a) of Section 11-14.3), 11-14.4  
11 (promoting juvenile prostitution), 11-18.1  
12 (patronizing a juvenile prostitute), 11-20.1 (child  
13 pornography), 11-20.1B (aggravated child pornography),  
14 11-25 (grooming), 11-26 (traveling to meet a minor or  
15 traveling to meet a child), or 12-33 (ritualized abuse  
16 of a child). An attempt to commit any of these  
17 offenses.

18 (ii) A violation of any of the following Sections  
19 of the Criminal Code of 1961 or the Criminal Code of  
20 2012, when the victim is a person under 18 years of  
21 age: 11-1.20 (criminal sexual assault), 11-1.30  
22 (aggravated criminal sexual assault), 11-1.60  
23 (aggravated criminal sexual abuse), and subsection (a)  
24 of Section 11-1.50 (criminal sexual abuse). An attempt  
25 to commit any of these offenses.

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



1 of the Criminal Code of 1961 or the Criminal Code of  
2 2012, when the victim is a person under 18 years of age  
3 and the defendant is not a 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 11-9.1(A) (permitting sexual abuse of a child).

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 this  
12 paragraph (2.5) of this subsection.

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

22 (4) "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 (5) "Child care institution" has the meaning ascribed

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

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

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

6 (8) "Facility providing programs or services directed  
7 towards persons under the age of 18" means any facility  
8 providing programs or services exclusively directed  
9 towards persons under the age of 18.

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

12 (10) "Internet" has the meaning set forth in Section  
13 16-0.1 of this Code.

14 (11) "Loiter" means:

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

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

22 (iii) Entering or remaining in a building in or  
23 around school property, other than the offender's  
24 residence.

25 (12) "Part day child care facility" has the meaning  
26 ascribed to it in Section 2.10 of the Child Care Act of

1 1969.

2 (13) "Playground" means a piece of land owned or  
3 controlled by a unit of local government that is  
4 designated by the unit of local government for use solely  
5 or primarily for children's recreation.

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

9 (15) "School" means a public or private preschool or  
10 elementary or secondary school.

11 (16) "School official" means the principal, a teacher,  
12 or any other certified employee of the school, the  
13 superintendent of schools or a member of the school board.

14 (e) For the purposes of this Section, the 500 feet  
15 distance shall be measured from: (1) the edge of the property  
16 of the school building or the real property comprising the  
17 school that is closest to the edge of the property of the child  
18 sex offender's residence or where he or she is loitering, and  
19 (2) the edge of the property comprising the public park  
20 building or the real property comprising the public park,  
21 playground, child care institution, day care center, part day  
22 child care facility, or facility providing programs or  
23 services exclusively directed toward persons under 18 years of  
24 age, or a victim of the sex offense who is under 21 years of  
25 age, to the edge of the child sex offender's place of residence  
26 or place where he or she is loitering.

1 (f) Sentence. A person who violates this Section is guilty  
2 of a Class 4 felony.

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

4 (720 ILCS 5/11-9.4-1)

5 Sec. 11-9.4-1. Sexual predator and child sex offender;  
6 presence or loitering in or near public parks or the State Fair  
7 at Springfield or DuQuoin prohibited.

8 (a) For the purposes of this Section:

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

15 "Public park" includes a park, forest preserve,  
16 bikeway, trail, or conservation area under the  
17 jurisdiction of the State or a unit of local government.

18 "Loiter" means:

19 (i) Standing, sitting idly, whether or not the  
20 person is in a vehicle or remaining in or around public  
21 park property.

22 (ii) Standing, sitting idly, whether or not the  
23 person is in a vehicle or remaining in or around public  
24 park property, for the purpose of committing or  
25 attempting to commit a sex offense.

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

4 (b) It is unlawful for a sexual predator or a child sex  
5 offender to knowingly be present in any public park building  
6 or on real property comprising any public park.

7 (b-5) It is unlawful for a sexual predator or a child sex  
8 offender to knowingly be present at the State Fair at  
9 Springfield or DuQuoin.

10 (c) It is unlawful for a sexual predator or a child sex  
11 offender to knowingly loiter on a public way within 500 feet of  
12 a public park building or real property comprising any public  
13 park. For the purposes of this subsection (c), the 500 feet  
14 distance shall be measured from the edge of the property  
15 comprising the public park building or the real property  
16 comprising the public park.

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

20 (Source: P.A. 96-1099, eff. 1-1-11; 97-698, eff. 1-1-13;  
21 97-1109, eff. 1-1-13.)

22 (720 ILCS 5/11-9.6 new)

23 Sec. 11-9.6. Sex offender prohibited from the State Fair  
24 at Springfield and DuQuoin.

25 (a) In this Section, "sex offender" has the meaning

1 ascribed to it in Section 10 of the Sex Offender Management  
2 Board Act.

3 (b) It is unlawful for a sex offender to be present,  
4 employed, performing, or a vendor at the State Fair at  
5 Springfield or DuQuoin.

6 (c) Sentence. A person who violates this Section is guilty  
7 of a Class 4 felony.

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.