



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB4340

Introduced 1/16/2024, by Rep. Jed Davis

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/10-9  
720 ILCS 5/11-9.3  
720 ILCS 5/11-25

Amends the Criminal Code of 2012. Provides that a person charged with involuntary sexual servitude of a minor or trafficking in persons if the victim is under 18 years of age shall not be permitted to plead down to lesser offenses. Provides that no person charged with grooming shall be permitted to plead down to lesser offenses. Provides that prosecutors are prohibited from offering plea bargains to lesser offenses to those individuals charged with grooming. Provides that It is a Class 4 felony for a child sex offender to knowingly operate, manage, be employed by, volunteer at, be associated with, or knowingly be present at any facility providing entertainment exclusively directed toward persons under the age of 18.

LRB103 33869 RLC 63686 b

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 Sections 10-9, 11-9.3, and 11-25 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 (b)(2) is a Class 1 felony, (b)(3) is a Class 2 felony, (b)(4)  
4 is a Class 3 felony, (b)(5) and (b)(6) is a Class 4 felony.

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

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

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

18 (3) there is overt force or threat.

19 Sentence. Except as otherwise provided in subsection (e)  
20 or (f), a violation of subsection (c)(1) is a Class 1 felony,  
21 (c)(2) is a Class X felony, and (c)(3) is a Class X felony.

22 (d) Trafficking in persons. A person commits trafficking  
23 in persons when he or she knowingly: (1) recruits, entices,  
24 harbors, transports, provides, or obtains by any means, or  
25 attempts to recruit, entice, harbor, transport, provide, or  
26 obtain by any means, another person, intending or knowing that

1 the person will be subjected to involuntary servitude; or (2)  
2 benefits, financially or by receiving anything of value, from  
3 participation in a venture that has engaged in an act of  
4 involuntary servitude or involuntary sexual servitude of a  
5 minor. A company commits trafficking in persons when the  
6 company knowingly benefits, financially or by receiving  
7 anything of value, from participation in a venture that has  
8 engaged in an act of involuntary servitude or involuntary  
9 sexual servitude of a minor.

10 Sentence. Except as otherwise provided in subsection (e)  
11 or (f), a violation of this subsection by a person is a Class 1  
12 felony. A violation of this subsection by a company is a  
13 business offense for which a fine of up to \$100,000 may be  
14 imposed.

15 (e) Aggravating factors. A violation of this Section  
16 involving kidnapping or an attempt to kidnap, aggravated  
17 criminal sexual assault or an attempt to commit aggravated  
18 criminal sexual assault, or an attempt to commit first degree  
19 murder is a Class X felony.

20 (f) Sentencing considerations.

21 (1) Bodily injury. If, pursuant to a violation of this  
22 Section, a victim suffered bodily injury, the defendant  
23 may be sentenced to an extended-term sentence under  
24 Section 5-8-2 of the Unified Code of Corrections. The  
25 sentencing court must take into account the time in which  
26 the victim was held in servitude, with increased penalties

1 for cases in which the victim was held for between 180 days  
2 and one year, and increased penalties for cases in which  
3 the victim was held for more than one year.

4 (2) Number of victims. In determining sentences within  
5 statutory maximums, the sentencing court should take into  
6 account the number of victims, and may provide for  
7 substantially increased sentences in cases involving more  
8 than 10 victims.

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

17 (g-5) Fine distribution. If the court imposes a fine under  
18 subsection (b), (c), or (d) of this Section, it shall be  
19 collected and distributed to the Specialized Services for  
20 Survivors of Human Trafficking Fund in accordance with Section  
21 5-9-1.21 of the Unified Code of Corrections.

22 (h) Trafficking victim services. Subject to the  
23 availability of funds, the Department of Human Services may  
24 provide or fund emergency services and assistance to  
25 individuals who are victims of one or more offenses defined in  
26 this Section.

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

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

21           (k) Prohibition of plea bargains.

22           (1) No person charged with involuntary sexual  
23 servitude of a minor or trafficking in persons if the  
24 victim is under 18 years of age shall be permitted to plead  
25 down to lesser offenses.

26           (2) Prosecutors are prohibited from offering plea



1       bargains to lesser offenses to those individuals charged  
2       with involuntary sexual servitude of a minor or  
3       trafficking in persons if the victim is under 18 years of  
4       age.

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

6               (720 ILCS 5/11-9.3)

7       Sec. 11-9.3. Presence within school zone by child sex  
8       offenders prohibited; approaching, contacting, residing with,  
9       or communicating with a child within certain places by child  
10      sex offenders prohibited.

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

1 principal of the school of his or her presence at the school or  
2 unless the offender has permission to be present from the  
3 superintendent or the school board or in the case of a private  
4 school from the principal. In the case of a public school, if  
5 permission is granted, the superintendent or school board  
6 president must inform the principal of the school where the  
7 sex offender will be present. Notification includes the nature  
8 of the sex offender's visit and the hours in which the sex  
9 offender will be present in the school. The sex offender is  
10 responsible for notifying the principal's office when he or  
11 she arrives on school property and when he or she departs from  
12 school property. If the sex offender is to be present in the  
13 vicinity of children, the sex offender has the duty to remain  
14 under the direct supervision of a school official.

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

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

1 child under 18 years of age, unless the offender is a parent or  
2 guardian of a person under 18 years of age present in the  
3 building or on the grounds.

4 (b) It is unlawful for a child sex offender to knowingly  
5 loiter within 500 feet of a school building or real property  
6 comprising any school while persons under the age of 18 are  
7 present in the building or on the grounds, unless the offender  
8 is a parent or guardian of a student attending the school and  
9 the parent or guardian is: (i) attending a conference at the  
10 school with school personnel to discuss the progress of his or  
11 her child academically or socially, (ii) participating in  
12 child review conferences in which evaluation and placement  
13 decisions may be made with respect to his or her child  
14 regarding special education services, or (iii) attending  
15 conferences to discuss other student issues concerning his or  
16 her child such as retention and promotion and notifies the  
17 principal of the school of his or her presence at the school or  
18 has permission to be present from the superintendent or the  
19 school board or in the case of a private school from the  
20 principal. In the case of a public school, if permission is  
21 granted, the superintendent or school board president must  
22 inform the principal of the school where the sex offender will  
23 be present. Notification includes the nature of the sex  
24 offender's visit and the hours in which the sex offender will  
25 be present in the school. The sex offender is responsible for  
26 notifying the principal's office when he or she arrives on

1 school property and when he or she departs from school  
2 property. If the sex offender is to be present in the vicinity  
3 of children, the sex offender has the duty to remain under the  
4 direct supervision of a school official.

5 (b-2) It is unlawful for a child sex offender to knowingly  
6 loiter on a public way within 500 feet of a public park  
7 building or real property comprising any public park while  
8 persons under the age of 18 are present in the building or on  
9 the grounds and to approach, contact, or communicate with a  
10 child under 18 years of age, unless the offender is a parent or  
11 guardian of a person under 18 years of age present in the  
12 building or on the grounds.

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

22 (b-10) It is unlawful for a child sex offender to  
23 knowingly reside within 500 feet of a playground, child care  
24 institution, day care center, part day child care facility,  
25 day care home, group day care home, or a facility providing  
26 programs or services exclusively directed toward persons under

1 18 years of age. Nothing in this subsection (b-10) prohibits a  
2 child sex offender from residing within 500 feet of a  
3 playground or a facility providing programs or services  
4 exclusively directed toward persons under 18 years of age if  
5 the property is owned by the child sex offender and was  
6 purchased before July 7, 2000. Nothing in this subsection  
7 (b-10) prohibits a child sex offender from residing within 500  
8 feet of a child care institution, day care center, or part day  
9 child care facility if the property is owned by the child sex  
10 offender and was purchased before June 26, 2006. Nothing in  
11 this subsection (b-10) prohibits a child sex offender from  
12 residing within 500 feet of a day care home or group day care  
13 home if the property is owned by the child sex offender and was  
14 purchased before August 14, 2008 (the effective date of Public  
15 Act 95-821).

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

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

25 (b-20) It is unlawful for a child sex offender to  
26 knowingly communicate, other than for a lawful purpose under

1 Illinois law, using the Internet or any other digital media,  
2 with a person under 18 years of age or with a person whom he or  
3 she believes to be a person under 18 years of age, unless the  
4 offender is a parent or guardian of the person under 18 years  
5 of age.

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

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

1 participate in a holiday event involving children under 18  
2 years of age, including but not limited to distributing candy  
3 or other items to children on Halloween, wearing a Santa Claus  
4 costume on or preceding Christmas, being employed as a  
5 department store Santa Claus, or wearing an Easter Bunny  
6 costume on or preceding Easter. For the purposes of this  
7 subsection, child sex offender has the meaning as defined in  
8 this Section, but does not include as a sex offense under  
9 paragraph (2) of subsection (d) of this Section, the offense  
10 under subsection (c) of Section 11-1.50 of this Code. This  
11 subsection does not apply to a child sex offender who is a  
12 parent or guardian of children under 18 years of age that are  
13 present in the home and other non-familial minors are not  
14 present.

15 (c-5) It is unlawful for a child sex offender to knowingly  
16 operate, manage, be employed by, or be associated with any  
17 carnival, amusement enterprise, or county or State fair when  
18 persons under the age of 18 are present.

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

26 (c-7) It is unlawful for a child sex offender to knowingly

1 offer or provide any programs or services to persons under 18  
2 years of age in his or her residence or the residence of  
3 another or in any facility for the purpose of offering or  
4 providing such programs or services, whether such programs or  
5 services are offered or provided by contract, agreement,  
6 arrangement, or on a volunteer basis.

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

14 (d) Definitions. In this Section:

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

16 (i) has been charged under Illinois law, or any  
17 substantially similar federal law or law of another  
18 state, with a sex offense set forth in paragraph (2) of  
19 this subsection (d) or the attempt to commit an  
20 included sex offense, and the victim is a person under  
21 18 years of age at the time of the offense; and:

22 (A) is convicted of such offense or an attempt  
23 to commit such offense; or

24 (B) is found not guilty by reason of insanity  
25 of such offense or an attempt to commit such  
26 offense; or



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

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

11 (E) is found not guilty by reason of insanity  
12 following a hearing conducted pursuant to a  
13 federal law or the law of another state  
14 substantially similar to subsection (c) of Section  
15 104-25 of the Code of Criminal Procedure of 1963  
16 of such offense or of the attempted commission of  
17 such offense; or

18 (F) is the subject of a finding not resulting  
19 in an acquittal at a hearing conducted pursuant to  
20 a federal law or the law of another state  
21 substantially similar to subsection (a) of Section  
22 104-25 of the Code of Criminal Procedure of 1963  
23 for the alleged violation or attempted commission  
24 of such offense; or

25 (ii) is certified as a sexually dangerous person  
26 pursuant to the Illinois Sexually Dangerous Persons

1 Act, or any substantially similar federal law or the  
2 law of another state, when any conduct giving rise to  
3 such certification is committed or attempted against a  
4 person less than 18 years of age; or

5 (iii) is subject to the provisions of Section 2 of  
6 the Interstate Agreements on Sexually Dangerous  
7 Persons Act.

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

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

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

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

25 (ii) A violation of any of the following Sections  
26 of the Criminal Code of 1961 or the Criminal Code of

1 2012, when the victim is a person under 18 years of  
2 age: 11-1.20 (criminal sexual assault), 11-1.30  
3 (aggravated criminal sexual assault), 11-1.50  
4 (criminal sexual abuse), 11-1.60 (aggravated criminal  
5 sexual abuse). An attempt to commit any of these  
6 offenses.

7 (iii) A violation of any of the following Sections  
8 of the Criminal Code of 1961 or the Criminal Code of  
9 2012, when the victim is a person under 18 years of age  
10 and the defendant is not a parent of the victim:

11 10-1 (kidnapping),

12 10-2 (aggravated kidnapping),

13 10-3 (unlawful restraint),

14 10-3.1 (aggravated unlawful restraint),

15 11-9.1(A) (permitting sexual abuse of a child).

16 An attempt to commit any of these offenses.

17 (iv) A violation of any former law of this State  
18 substantially equivalent to any offense listed in  
19 clause (2)(i) or (2)(ii) of subsection (d) of this  
20 Section.

21 (2.5) For the purposes of subsections (b-5) and (b-10)  
22 only, a sex offense means:

23 (i) A violation of any of the following Sections  
24 of the Criminal Code of 1961 or the Criminal Code of  
25 2012:

26 10-5(b)(10) (child luring), 10-7 (aiding or

1 abetting child abduction under Section 10-5(b)(10)),  
2 11-1.40 (predatory criminal sexual assault of a  
3 child), 11-6 (indecent solicitation of a child),  
4 11-6.5 (indecent solicitation of an adult), 11-9.2  
5 (custodial sexual misconduct), 11-9.5 (sexual  
6 misconduct with a person with a disability), 11-11  
7 (sexual relations within families), 11-14.3(a)(1)  
8 (promoting prostitution by advancing prostitution),  
9 11-14.3(a)(2)(A) (promoting prostitution by profiting  
10 from prostitution by compelling a person to be a  
11 prostitute), 11-14.3(a)(2)(C) (promoting prostitution  
12 by profiting from prostitution by means other than as  
13 described in subparagraphs (A) and (B) of paragraph  
14 (2) of subsection (a) of Section 11-14.3), 11-14.4  
15 (promoting juvenile prostitution), 11-18.1  
16 (patronizing a juvenile prostitute), 11-20.1 (child  
17 pornography), 11-20.1B (aggravated child pornography),  
18 11-25 (grooming), 11-26 (traveling to meet a minor or  
19 traveling to meet a child), or 12-33 (ritualized abuse  
20 of a child). An attempt to commit any of these  
21 offenses.

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

1 (aggravated criminal sexual abuse), and subsection (a)  
2 of Section 11-1.50 (criminal sexual abuse). An attempt  
3 to commit any of these offenses.

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

8 10-1 (kidnapping),

9 10-2 (aggravated kidnapping),

10 10-3 (unlawful restraint),

11 10-3.1 (aggravated unlawful restraint),

12 11-9.1(A) (permitting sexual abuse of a child).

13 An attempt to commit any of these offenses.

14 (iv) A violation of any former law of this State  
15 substantially equivalent to any offense listed in this  
16 paragraph (2.5) of this subsection.

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

26 (4) "Authorized emergency vehicle", "rescue vehicle",

1 and "vehicle" have the meanings ascribed to them in  
2 Sections 1-105, 1-171.8 and 1-217, respectively, of the  
3 Illinois Vehicle Code.

4 (5) "Child care institution" has the meaning ascribed  
5 to it in Section 2.06 of the Child Care Act of 1969.

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

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

10 (8) "Facility providing programs or services directed  
11 towards persons under the age of 18" means any facility  
12 providing programs or services exclusively directed  
13 towards persons under the age of 18.

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

16 (10) "Internet" has the meaning set forth in Section  
17 16-0.1 of this Code.

18 (11) "Loiter" means:

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

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

26 (iii) Entering or remaining in a building in or

1           around school property, other than the offender's  
2           residence.

3           (12) "Part day child care facility" has the meaning  
4           ascribed to it in Section 2.10 of the Child Care Act of  
5           1969.

6           (13) "Playground" means a piece of land owned or  
7           controlled by a unit of local government that is  
8           designated by the unit of local government for use solely  
9           or primarily for children's recreation.

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

13          (15) "School" means a public or private preschool or  
14          elementary or secondary school.

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

18          (e) For the purposes of this Section, the 500 feet  
19          distance shall be measured from: (1) the edge of the property  
20          of the school building or the real property comprising the  
21          school that is closest to the edge of the property of the child  
22          sex offender's residence or where he or she is loitering, and  
23          (2) the edge of the property comprising the public park  
24          building or the real property comprising the public park,  
25          playground, child care institution, day care center, part day  
26          child care facility, or facility providing programs or



1 services exclusively directed toward persons under 18 years of  
2 age, or a victim of the sex offense who is under 21 years of  
3 age, to the edge of the child sex offender's place of residence  
4 or place where he or she is loitering.

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

7 (Source: P.A. 102-997, eff. 1-1-23.)

8 (720 ILCS 5/11-25)

9 Sec. 11-25. Grooming.

10 (a) A person commits grooming when he or she knowingly  
11 uses a computer on-line service, Internet service, local  
12 bulletin board service, or any other device capable of  
13 electronic data storage or transmission, performs an act in  
14 person or by conduct through a third party, or uses written  
15 communication to seduce, solicit, lure, or entice, or attempt  
16 to seduce, solicit, lure, or entice, a child, a child's  
17 guardian, or another person believed by the person to be a  
18 child or a child's guardian, to commit any sex offense as  
19 defined in Section 2 of the Sex Offender Registration Act, to  
20 distribute photographs depicting the sex organs of the child,  
21 or to otherwise engage in any unlawful sexual conduct with a  
22 child or with another person believed by the person to be a  
23 child. As used in this Section, "child" means a person under 17  
24 years of age.

25 (a-5) Prohibition of plea bargains.

1           (1) No person charged with grooming shall be permitted  
2           to plead down to lesser offenses.

3           (2) Prosecutors are prohibited from offering plea  
4           bargains to lesser offenses to those individuals charged  
5           with grooming.

6           (b) Sentence. Grooming is a Class 4 felony.

7           (Source: P.A. 102-676, eff. 6-1-22.)