



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Ron Stephens - James H. Meyer

SYNOPSIS AS INTRODUCED:

730 ILCS 150/3	from Ch. 38, par. 223
730 ILCS 150/6	from Ch. 38, par. 226
730 ILCS 152/115	

Amends the Sex Offender Registration Act. Provides that if a sex offender has an account with an Internet service provider, the name of the Internet service provider, the e-mail address of the sex offender, and the screen names used by the sex offender must be submitted to the Department of State Police. Provides that if the sex offender has more than one account with one or more an Internet service providers, information on each account must be submitted to the Department of State Police. Amends the Sex Offender and Child Murderer Community Notification Law. Provides that the Department of State Police must make a sex offender's Internet account information accessible on the Internet in the Department's Sex Offender Information file on the Department's Web site.

LRB093 18069 RLC 43756 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT in relation to sex offenders.

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

4 Section 5. The Sex Offender Registration Act is amended by
5 changing Sections 3 and 6 as follows:

6 (730 ILCS 150/3) (from Ch. 38, par. 223)

7 Sec. 3. Duty to register.

8 (a) A sex offender, as defined in Section 2 of this Act, or
9 sexual predator shall, within the time period prescribed in
10 subsections (b) and (c), register in person and provide
11 accurate information as required by the Department of State
12 Police. Such information shall include current address,
13 current place of employment, and school attended. If the sex
14 offender or sexual predator has an account with an Internet
15 service provider, the name of the Internet service provider,
16 the e-mail address of the sex offender, and the screen names
17 used by the sex offender must be submitted to the Department of
18 State Police. If the sex offender has more than one account
19 with one or more Internet service providers, information on
20 each account must be submitted to the Department of State
21 Police. The sex offender or sexual predator shall register:

22 (1) with the chief of police in each of the
23 municipalities in which he or she attends school, is
24 employed, resides or is temporarily domiciled for a period
25 of time of 10 or more days, unless the municipality is the
26 City of Chicago, in which case he or she shall register at
27 the Chicago Police Department Headquarters; or

28 (2) with the sheriff in each of the counties in which
29 he or she attends school, is employed, resides or is
30 temporarily domiciled in an unincorporated area or, if
31 incorporated, no police chief exists.

32 For purposes of this Article, the place of residence or

1 temporary domicile is defined as any and all places where the
2 sex offender resides for an aggregate period of time of 10 or
3 more days during any calendar year.

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

8 (a-5) An out-of-state student or out-of-state employee
9 shall, within 10 days after beginning school or employment in
10 this State, register in person and provide accurate information
11 as required by the Department of State Police. Such information
12 will include current place of employment, school attended, and
13 address in state of residence:

14 (1) with the chief of police in each of the
15 municipalities in which he or she attends school or is
16 employed for a period of time of 10 or more days or for an
17 aggregate period of time of more than 30 days during any
18 calendar year, unless the municipality is the City of
19 Chicago, in which case he or she shall register at the
20 Chicago Police Department Headquarters; or

21 (2) with the sheriff in each of the counties in which
22 he or she attends school or is employed for a period of
23 time of 10 or more days or for an aggregate period of time
24 of more than 30 days during any calendar year in an
25 unincorporated area or, if incorporated, no police chief
26 exists.

27 The out-of-state student or out-of-state employee shall
28 provide accurate information as required by the Department of
29 State Police. That information shall include the out-of-state
30 student's current place of school attendance or the
31 out-of-state employee's current place of employment.

32 (b) Any sex offender, as defined in Section 2 of this Act,
33 or sexual predator, regardless of any initial, prior, or other
34 registration, shall, within 10 days of beginning school, or
35 establishing a residence, place of employment, or temporary
36 domicile in any county, register in person as set forth in

1 subsection (a) or (a-5).

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

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

10 (2) Except as provided in subsection (c) (4), any person
11 convicted or adjudicated prior to January 1, 1996, whose
12 liability for registration under Section 7 has not expired,
13 shall register in person prior to January 31, 1996.

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

25 (3) Except as provided in subsection (c) (4), any person
26 convicted on or after January 1, 1996, shall register in
27 person within 10 days after the entry of the sentencing
28 order based upon his or her conviction.

29 (4) Any person unable to comply with the registration
30 requirements of this Article because he or she is confined,
31 institutionalized, or imprisoned in Illinois on or after
32 January 1, 1996, shall register in person within 10 days of
33 discharge, parole or release.

34 (5) The person shall provide positive identification
35 and documentation that substantiates proof of residence at
36 the registering address.

1 (6) The person shall pay a \$20 initial registration fee
2 and a \$10 annual renewal fee. The fees shall be used by the
3 registering agency for official purposes. The agency shall
4 establish procedures to document receipt and use of the
5 funds. The law enforcement agency having jurisdiction may
6 waive the registration fee if it determines that the person
7 is indigent and unable to pay the registration fee. Ten
8 dollars for the initial registration fee and \$5 of the
9 annual renewal fee shall be used by the registering agency
10 for official purposes. Ten dollars of the initial
11 registration fee and \$5 of the annual fee shall be
12 deposited into the Sex Offender Management Board Fund under
13 Section 19 of the Sex Offender Management Board Act. Money
14 deposited into the Sex Offender Management Board Fund shall
15 be administered by the Sex Offender Management Board and
16 shall be used to fund practices endorsed or required by the
17 Sex Offender Management Board Act including but not limited
18 to sex offenders evaluation, treatment, or monitoring
19 programs that are or may be developed, as well as for
20 administrative costs, including staff, incurred by the
21 Board.

22 (d) Within 10 days after obtaining or changing employment
23 and, if employed on January 1, 2000, within 10 days after that
24 date, a person required to register under this Section must
25 report, in person or in writing to the law enforcement agency
26 having jurisdiction, the business name and address where he or
27 she is employed. If the person has multiple businesses or work
28 locations, every business and work location must be reported to
29 the law enforcement agency having jurisdiction.

30 (Source: P.A. 92-828, eff. 8-22-02; 93-616, eff. 1-1-04.)

31 (730 ILCS 150/6) (from Ch. 38, par. 226)

32 Sec. 6. Duty to report; change of address, school, ~~or~~
33 employment, or Internet account information; duty to inform. A
34 person who has been adjudicated to be sexually dangerous or is
35 a sexually violent person and is later released, or found to be

1 no longer sexually dangerous or no longer a sexually violent
2 person and discharged, shall report in person to the law
3 enforcement agency with whom he or she last registered no later
4 than 90 days after the date of his or her last registration and
5 every 90 days thereafter. Any other person who is required to
6 register under this Article shall report in person to the
7 appropriate law enforcement agency with whom he or she last
8 registered within one year from the date of last registration
9 and every year thereafter. If any person required to register
10 under this Article changes his or her residence address, place
11 of employment, ~~or~~ school, or Internet account, including e-mail
12 addresses and screen names, he or she shall, in writing, within
13 10 days inform the law enforcement agency with whom he or she
14 last registered of his or her new address, change in
15 employment, ~~or~~ school or Internet account, including e-mail
16 addresses and screen names, and register with the appropriate
17 law enforcement agency within the time period specified in
18 Section 3. The law enforcement agency shall, within 3 days of
19 receipt, notify the Department of State Police and the law
20 enforcement agency having jurisdiction of the new place of
21 residence, change in employment, ~~or~~ school or Internet account.

22 If any person required to register under this Article
23 establishes a residence or employment outside of the State of
24 Illinois, within 10 days after establishing that residence or
25 employment, he or she shall, in writing, inform the law
26 enforcement agency with which he or she last registered of his
27 or her out-of-state residence or employment. The law
28 enforcement agency with which such person last registered
29 shall, within 3 days notice of an address or employment change,
30 notify the Department of State Police. The Department of State
31 Police shall forward such information to the out-of-state law
32 enforcement agency having jurisdiction in the form and manner
33 prescribed by the Department of State Police.

34 (Source: P.A. 91-48, eff. 7-1-99; 91-394, eff. 1-1-00; 92-16,
35 eff. 6-28-01; 92-828, eff. 8-22-02.)

1 Section 10. The Sex Offender and Child Murderer Community
2 Notification Law is amended by changing Section 115 as follows:

3 (730 ILCS 152/115)

4 Sec. 115. Sex offender database.

5 (a) The Department of State Police shall establish and
6 maintain a Statewide Sex Offender Database for the purpose of
7 identifying sex offenders and making that information
8 available to the persons specified in Sections 120 and 125 of
9 this Law. The Database shall be created from the Law
10 Enforcement Agencies Data System (LEADS) established under
11 Section 6 of the Intergovernmental Missing Child Recovery Act
12 of 1984. The Department of State Police shall examine its LEADS
13 database for persons registered as sex offenders under the Sex
14 Offender Registration Act and shall identify those who are sex
15 offenders and shall add all the information, including
16 photographs if available, on those sex offenders to the
17 Statewide Sex Offender Database.

18 (b) The Department of State Police must make the
19 information contained in the Statewide Sex Offender Database,
20 including the sex offender's Internet account information,
21 accessible on the Internet by means of a hyperlink labeled "Sex
22 Offender Information" on the Department's World Wide Web home
23 page. The Department of State Police must update that
24 information as it deems necessary.

25 The Department of State Police may require that a person
26 who seeks access to the sex offender information submit
27 biographical information about himself or herself before
28 permitting access to the sex offender information. The
29 Department of State Police may limit access to the sex offender
30 information to information about sex offenders who reside
31 within a specified geographic area in proximity to the address
32 of the person seeking that information. The Department of State
33 Police must promulgate rules in accordance with the Illinois
34 Administrative Procedure Act to implement this subsection (b)
35 and those rules must include procedures to ensure that the

1 information in the database is accurate.

2 (Source: P.A. 90-193, eff. 7-24-97; 91-224, eff. 7-1-00.)