



Rep. Robin Kelly

Filed: 4/8/2005

09400HB3801ham002

LRB094 03494 RAS 44221 a

1 AMENDMENT TO HOUSE BILL 3801

2 AMENDMENT NO. _____. Amend House Bill 3801, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 1, by replacing lines 6 through 8 with the
5 following:

6 "Section 5. Definitions. In this Act:

7 "Sex offender" means any person:

8 (1) who is charged pursuant to Illinois law, or any
9 substantially similar federal, Uniform Code of Military
10 Justice, sister state, or foreign country law, with any of
11 the following sex offenses set forth in the Criminal Code
12 of 1961:

13 (A) indecent solicitation of a child;

14 (B) sexual exploitation of a child;

15 (C) custodial sexual misconduct;

16 (D) prostitution;

17 (E) soliciting for a juvenile prostitute;

18 (F) keeping a place of prostitution;

19 (G) keeping a place of juvenile prostitution;

20 (H) patronizing a juvenile prostitute;

21 (I) pimping;

22 (J) juvenile pimping;

23 (K) aggravated juvenile pimping;

24 (L) exploitation of a child; or

25 (M) child pornography;

1 and who is:

2 (A) convicted of such offense or an attempt to
3 commit such offense;

4 (B) found not guilty by reason of insanity of such
5 offense or an attempt to commit such offense;

6 (C) found not guilty by reason of insanity pursuant
7 to subsection (c) of Section 104-25 of the Code of
8 Criminal Procedure of 1963 of such offense or an
9 attempt to commit such offense;

10 (D) the subject of a finding not resulting in an
11 acquittal at a hearing conducted pursuant to
12 subsection (a) of Section 104-25 of the Code of
13 Criminal Procedure of 1963 for the alleged commission
14 or attempted commission of such offense;

15 (E) found not guilty by reason of insanity
16 following a hearing conducted pursuant to a federal,
17 Uniform Code of Military Justice, sister state, or
18 foreign country law substantially similar to
19 subsection (c) of Section 104-25 of the Code of
20 Criminal Procedure of 1963 of such offense or of the
21 attempted commission of such offense; or

22 (F) the subject of a finding not resulting in an
23 acquittal at a hearing conducted pursuant to a federal,
24 Uniform Code of Military Justice, sister state, or
25 foreign country law substantially similar to
26 subsection (a) of Section 104-25 of the Code of
27 Criminal Procedure of 1963 for the alleged violation or
28 attempted commission of such offense;

29 (2) who is certified as a sexually dangerous person
30 pursuant to the Sexually Dangerous Persons Act or any
31 substantially similar federal, Uniform Code of Military
32 Justice, sister state, or foreign country law;

33 (3) who is subject to the provisions of Section 2 of
34 the Interstate Agreements on Sexually Dangerous Persons

1 Act;

2 (4) who is found to be a sexually violent person
3 pursuant to the Sexually Violent Persons Commitment Act or
4 any substantially similar federal, Uniform Code of
5 Military Justice, sister state, or foreign country law; or

6 (5) who is adjudicated a juvenile delinquent as the
7 result of committing or attempting to commit an act that,
8 if committed by an adult, would constitute any of the sex
9 offenses set forth in subdivision (1) of this Section or a
10 violation of any substantially similar federal, Uniform
11 Code of Military Justice, sister state, or foreign country
12 law or found guilty under Article V of the Juvenile Court
13 Act of 1987 of committing or attempting to commit an act
14 that, if committed by an adult, would constitute any of the
15 offenses set forth in subdivision (1) of this Section or a
16 violation of any substantially similar federal, Uniform
17 Code of Military Justice, sister state, or foreign country
18 law.

19 Any conviction set aside pursuant to law is not a
20 conviction for purposes of this definition.

21 "Violent felony" means any of the following offenses, as
22 defined by the Criminal Code of 1961:

23 (1) First degree murder.

24 (2) Second degree murder.

25 (3) Aggravated arson.

26 (4) Aggravated kidnapping.

27 (5) Aggravated battery resulting in great bodily harm
28 or permanent disability or disfigurement."