



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4101

Introduced 8/10/2005, by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

730 ILCS 152/120

Amends the Sex Offender and Child Murderer Community Notification Law. Provides that the Department of State Police at least once per year and at such other periods of time as the Director of State Police deems appropriate shall send a letter to each residence address located within a neighborhood informing the resident that a sex offender or sex offenders reside within the neighborhood. Provides that the notification shall contain the number of sex offenders residing within the neighborhood but shall not include the names and addresses of the sex offenders. Provides that the notification shall also inform the resident that he or she may obtain information about sex offenders residing in his or her neighborhood by accessing information contained in the Statewide Sex Offender Database on the Internet by means of a hyperlink labeled "Sex Offender Information" on the Department of State Police's World Wide Web home page. Provides that the Director of State Police shall adopt rules determining which geographic areas constitute a neighborhood.

LRB094 12678 RLC 47522 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning 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 and Child Murderer Community
5 Notification Law is amended by changing Section 120 as follows:

6 (730 ILCS 152/120)

7 Sec. 120. Community notification of sex offenders.

8 (a) The sheriff of the county, except Cook County, shall
9 disclose to the following the name, address, date of birth,
10 place of employment, school attended, and offense or
11 adjudication of all sex offenders required to register under
12 Section 3 of the Sex Offender Registration Act:

13 (1) The boards of institutions of higher education or
14 other appropriate administrative offices of each
15 non-public institution of higher education located in the
16 county where the sex offender is required to register,
17 resides, is employed, or is attending an institution of
18 higher education; and

19 (2) School boards of public school districts and the
20 principal or other appropriate administrative officer of
21 each nonpublic school located in the county where the sex
22 offender is required to register or is employed; and

23 (3) Child care facilities located in the county where
24 the sex offender is required to register or is employed.

25 (a-2) The sheriff of Cook County shall disclose to the
26 following the name, address, date of birth, place of
27 employment, school attended, and offense or adjudication of all
28 sex offenders required to register under Section 3 of the Sex
29 Offender Registration Act:

30 (1) School boards of public school districts and the
31 principal or other appropriate administrative officer of
32 each nonpublic school located within the region of Cook

1 County, as those public school districts and nonpublic
2 schools are identified in LEADS, other than the City of
3 Chicago, where the sex offender is required to register or
4 is employed; and

5 (2) Child care facilities located within the region of
6 Cook County, as those child care facilities are identified
7 in LEADS, other than the City of Chicago, where the sex
8 offender is required to register or is employed; and

9 (3) The boards of institutions of higher education or
10 other appropriate administrative offices of each
11 non-public institution of higher education located in the
12 county, other than the City of Chicago, where the sex
13 offender is required to register, resides, is employed, or
14 attending an institution of higher education.

15 (a-3) The Chicago Police Department shall disclose to the
16 following the name, address, date of birth, place of
17 employment, school attended, and offense or adjudication of all
18 sex offenders required to register under Section 3 of the Sex
19 Offender Registration Act:

20 (1) School boards of public school districts and the
21 principal or other appropriate administrative officer of
22 each nonpublic school located in the police district where
23 the sex offender is required to register or is employed if
24 the offender is required to register or is employed in the
25 City of Chicago; and

26 (2) Child care facilities located in the police
27 district where the sex offender is required to register or
28 is employed if the offender is required to register or is
29 employed in the City of Chicago; and

30 (3) The boards of institutions of higher education or
31 other appropriate administrative offices of each
32 non-public institution of higher education located in the
33 police district where the sex offender is required to
34 register, resides, is employed, or attending an
35 institution of higher education in the City of Chicago.

36 (a-4) The Department of State Police shall provide a list

1 of sex offenders required to register to the Illinois
2 Department of Children and Family Services.

3 (b) The Department of State Police and any law enforcement
4 agency may disclose, in the Department's or agency's
5 discretion, the following information to any person likely to
6 encounter a sex offender, or sexual predator:

7 (1) The offender's name, address, and date of birth.

8 (2) The offense for which the offender was convicted.

9 (3) Adjudication as a sexually dangerous person.

10 (4) The offender's photograph or other such
11 information that will help identify the sex offender.

12 (5) Offender employment information, to protect public
13 safety.

14 (c) The name, address, date of birth, and offense or
15 adjudication for sex offenders required to register under
16 Section 3 of the Sex Offender Registration Act shall be open to
17 inspection by the public as provided in this Section. Every
18 municipal police department shall make available at its
19 headquarters the information on all sex offenders who are
20 required to register in the municipality under the Sex Offender
21 Registration Act. The sheriff shall also make available at his
22 or her headquarters the information on all sex offenders who
23 are required to register under that Act and who live in
24 unincorporated areas of the county. Sex offender information
25 must be made available for public inspection to any person, no
26 later than 72 hours or 3 business days from the date of the
27 request. The request must be made in person, in writing, or by
28 telephone. Availability must include giving the inquirer
29 access to a facility where the information may be copied. A
30 department or sheriff may charge a fee, but the fee may not
31 exceed the actual costs of copying the information. An inquirer
32 must be allowed to copy this information in his or her own
33 handwriting. A department or sheriff must allow access to the
34 information during normal public working hours. The sheriff or
35 a municipal police department may publish the photographs of
36 sex offenders where any victim was 13 years of age or younger

1 and who are required to register in the municipality or county
2 under the Sex Offender Registration Act in a newspaper or
3 magazine of general circulation in the municipality or county
4 or may disseminate the photographs of those sex offenders on
5 the Internet or on television. The law enforcement agency may
6 make available the information on all sex offenders residing
7 within any county.

8 (d) The Department of State Police and any law enforcement
9 agency having jurisdiction may, in the Department's or agency's
10 discretion, place the information specified in subsection (b)
11 on the Internet or in other media.

12 (e) The Department of State Police and any law enforcement
13 agency having jurisdiction may, in the Department's or agency's
14 discretion, only provide the information specified in
15 subsection (b), with respect to an adjudicated juvenile
16 delinquent, to any person when that person's safety may be
17 compromised for some reason related to the juvenile sex
18 offender.

19 (f) The Department of State Police at least once per year
20 and at such other periods of time as the Director of State
21 Police deems appropriate shall send a letter to each residence
22 address located within a neighborhood informing the resident
23 that a sex offender or sex offenders reside within the
24 neighborhood. The notification shall contain the number of sex
25 offenders residing within the neighborhood but shall not
26 include the names and addresses of the sex offenders. The
27 notification shall also inform the resident that he or she may
28 obtain information about sex offenders residing in his or her
29 neighborhood by accessing information contained in the
30 Statewide Sex Offender Database on the Internet by means of a
31 hyperlink labeled "Sex Offender Information" on the Department
32 of State Police's World Wide Web home page. The Director of
33 State Police shall adopt rules determining which geographic
34 areas constitute a neighborhood.

35 (Source: P.A. 91-48, eff. 7-1-99; 91-221, eff. 7-22-99; 91-224,
36 eff. 7-1-00; 91-357, eff. 7-29-99; 91-394, eff. 1-1-00; 92-16,

1 6-28-01; 92-828, eff. 8-22-02.)