



Sen. Don Harmon

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09400SB1328sam001

LRB094 05671 AJO 43118 a

1 AMENDMENT TO SENATE BILL 1328

2 AMENDMENT NO. _____. Amend Senate Bill 1328 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Sex Offender Registration Act is amended by
5 adding Section 3.5 as follows:

6 (730 ILCS 150/3.5 new)

7 Sec. 3.5. Application of Act to juveniles.

8 (a) The juvenile court may determine whether a juvenile,
9 defined in paragraph (5) of subsection (A) of Section 2 of this
10 Act, must register as a sex offender and the duration of that
11 registration.

12 (b) The juvenile court shall consider the following factors
13 in determining whether to require a juvenile to register as a
14 sex offender and the duration of that registration:

15 (i) the seriousness of the alleged violation;

16 (ii) the juvenile's level of planning and
17 participation in the alleged offense;

18 (iii) the previous sex offender history of the
19 juvenile, including whether the juvenile has been
20 adjudicated delinquent for prior sexually-motivated
21 offenses;

22 (iv) the probability that the juvenile will commit
23 similar future violations;

24 (v) the possibility that facilities or programs

1 available to the juvenile court would contribute to the
2 rehabilitation of the juvenile prior to the expiration of
3 the juvenile court's jurisdiction;

4 (vi) the ages of the juvenile and the victim;

5 (vii) the relationship of the juvenile to the victim;

6 (viii) any written or other information related to the
7 juvenile's mental, physical, educational, and social
8 history; and

9 (ix) any other factors deemed relevant by the court.

10 (c) Once a juvenile is ordered to register as a sex
11 offender, the juvenile shall be subject to the registration
12 requirements set forth in Sections 3, 6, 6-5, 8, 8-5, and 10
13 for the term of his or her registration.

14 (d) Upon motion of any party, and upon presentation of
15 evidence that the registration is no longer in the best
16 interests of the juvenile and no longer necessary for the
17 protection of the community, the juvenile court may modify the
18 terms and conditions of the registration. Motions under this
19 subsection may be brought at any time before the minor reaches
20 the age of 17 or before proceedings in his or her juvenile
21 court cases are terminated.

22 (e) When a juvenile sex offender reaches the age of 17, the
23 juvenile shall not be required to register as an adult sex
24 offender. After the juvenile completes the term of the juvenile
25 sex offender registration, his or her name, address, and other
26 identifying information must be removed from all State and
27 local registries. Within 30 days of the end of the term of the
28 juvenile's registration, upon motion by any party and the
29 presentation of clear and convincing evidence that the juvenile
30 sex offender still poses a serious risk to the community, the
31 juvenile court may require that the juvenile sex offender
32 register as an adult sex offender and comply with all
33 registration requirements set forth in Sections 3, 6, 6-5, 8,
34 8-5, and 10.

1 (f) A juvenile shall not be considered a sexual predator,
2 as defined in subsection (e) of Section 2 of this Act, for the
3 purposes of mandatory registration for the term of natural life
4 as set forth in Section 7 of this Act."