



Sen. Don Harmon

Filed: 4/23/2007

09500HB0260sam001

LRB095 04321 RLC 35340 a

1 AMENDMENT TO HOUSE BILL 260

2 AMENDMENT NO. _____. Amend House Bill 260 by replacing
3 everything after the enacting clause with the following:

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 a current photograph,
13 current address, current place of employment, the employer's
14 telephone number, school attended, all e-mail addresses,
15 instant messaging identities, chat room identities, and other
16 Internet communications identities that the sex offender uses

1 or plans to use, all Uniform Resource Locators (URLs)
2 registered or used by the sex offender, all blogs and other
3 Internet sites maintained by the sex offender or to which the
4 sex offender has uploaded any content or posted any messages or
5 information, extensions of the time period for registering as
6 provided in this Article and, if an extension was granted, the
7 reason why the extension was granted and the date the sex
8 offender was notified of the extension. The information shall
9 also include the county of conviction, license plate numbers
10 for every vehicle registered in the name of the sex offender,
11 the age of the sex offender at the time of the commission of
12 the offense, the age of the victim at the time of the
13 commission of the offense, and any distinguishing marks located
14 on the body of the sex offender. A person who has been
15 adjudicated a juvenile delinquent for an act which, if
16 committed by an adult, would be a sex offense shall register as
17 an adult sex offender within 10 days after attaining 17 years
18 of age. The sex offender or sexual predator shall register:

19 (1) with the chief of police in the municipality in
20 which he or she resides or is temporarily domiciled for a
21 period of time of 5 or more days, unless the municipality
22 is the City of Chicago, in which case he or she shall
23 register at the Chicago Police Department Headquarters; or

24 (2) with the sheriff in the county in which he or she
25 resides or is temporarily domiciled for a period of time of
26 5 or more days in an unincorporated area or, if

1 incorporated, no police chief exists.

2 If the sex offender or sexual predator is employed at or
3 attends an institution of higher education, he or she shall
4 register:

5 (i) with the chief of police in the municipality in
6 which he or she is employed at or attends an institution of
7 higher education, unless the municipality is the City of
8 Chicago, in which case he or she shall register at the
9 Chicago Police Department Headquarters; or

10 (ii) with the sheriff in the county in which he or she
11 is employed or attends an institution of higher education
12 located in an unincorporated area, or if incorporated, no
13 police chief exists.

14 For purposes of this Article, the place of residence or
15 temporary domicile is defined as any and all places where the
16 sex offender resides for an aggregate period of time of 5 or
17 more days during any calendar year. Any person required to
18 register under this Article who lacks a fixed address or
19 temporary domicile must notify, in person, the agency of
20 jurisdiction of his or her last known address within 5 days
21 after ceasing to have a fixed residence.

22 Any person who lacks a fixed residence must report weekly,
23 in person, with the sheriff's office of the county in which he
24 or she is located in an unincorporated area, or with the chief
25 of police in the municipality in which he or she is located.
26 The agency of jurisdiction will document each weekly

1 registration to include all the locations where the person has
2 stayed during the past 7 days.

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

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

14 (1) with the chief of police in the municipality in
15 which he or she attends school or is employed for a period
16 of time of 5 or more days or for an aggregate period of
17 time of more than 30 days during any calendar year, unless
18 the municipality is the City of Chicago, in which case he
19 or she shall register at the Chicago Police Department
20 Headquarters; or

21 (2) with the sheriff in the county in which he or she
22 attends school or is employed for a period of time of 5 or
23 more days or for an aggregate period of time of more than
24 30 days during any calendar year in an unincorporated area
25 or, if incorporated, no police chief exists.

26 The out-of-state student or out-of-state employee shall

1 provide accurate information as required by the Department of
2 State Police. That information shall include the out-of-state
3 student's current place of school attendance or the
4 out-of-state employee's current place of employment.

5 (b) Any sex offender, as defined in Section 2 of this Act,
6 or sexual predator, regardless of any initial, prior, or other
7 registration, shall, within 5 days of beginning school, or
8 establishing a residence, place of employment, or temporary
9 domicile in any county, register in person as set forth in
10 subsection (a) or (a-5).

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

13 (1) Any person registered under the Habitual Child Sex
14 Offender Registration Act or the Child Sex Offender
15 Registration Act prior to January 1, 1996, shall be deemed
16 initially registered as of January 1, 1996; however, this
17 shall not be construed to extend the duration of
18 registration set forth in Section 7.

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

23 (2.5) Except as provided in subsection (c)(4), any
24 person who has not been notified of his or her
25 responsibility to register shall be notified by a criminal
26 justice entity of his or her responsibility to register.

1 Upon notification the person must then register within 5
2 days of notification of his or her requirement to register.
3 If notification is not made within the offender's 10 year
4 registration requirement, and the Department of State
5 Police determines no evidence exists or indicates the
6 offender attempted to avoid registration, the offender
7 will no longer be required to register under this Act.

8 (3) Except as provided in subsection (c) (4), any person
9 convicted on or after January 1, 1996, shall register in
10 person within 5 days after the entry of the sentencing
11 order based upon his or her conviction.

12 (4) Any person unable to comply with the registration
13 requirements of this Article because he or she is confined,
14 institutionalized, or imprisoned in Illinois on or after
15 January 1, 1996, shall register in person within 5 days of
16 discharge, parole or release.

17 (5) The person shall provide positive identification
18 and documentation that substantiates proof of residence at
19 the registering address.

20 (6) The person shall pay a \$20 initial registration fee
21 and a \$10 annual renewal fee. The fees shall be used by the
22 registering agency for official purposes. The agency shall
23 establish procedures to document receipt and use of the
24 funds. The law enforcement agency having jurisdiction may
25 waive the registration fee if it determines that the person
26 is indigent and unable to pay the registration fee. Ten

1 dollars for the initial registration fee and \$5 of the
2 annual renewal fee shall be used by the registering agency
3 for official purposes. Ten dollars of the initial
4 registration fee and \$5 of the annual fee shall be
5 deposited into the Sex Offender Management Board Fund under
6 Section 19 of the Sex Offender Management Board Act. Money
7 deposited into the Sex Offender Management Board Fund shall
8 be administered by the Sex Offender Management Board and
9 shall be used to fund practices endorsed or required by the
10 Sex Offender Management Board Act including but not limited
11 to sex offenders evaluation, treatment, or monitoring
12 programs that are or may be developed, as well as for
13 administrative costs, including staff, incurred by the
14 Board.

15 (d) Within 5 days after obtaining or changing employment
16 and, if employed on January 1, 2000, within 5 days after that
17 date, a person required to register under this Section must
18 report, in person to the law enforcement agency having
19 jurisdiction, the business name and address where he or she is
20 employed. If the person has multiple businesses or work
21 locations, every business and work location must be reported to
22 the law enforcement agency having jurisdiction.

23 (Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04;
24 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07.)

1 Sec. 6. Duty to report; change of address, school, or
2 employment; duty to inform. A person who has been adjudicated
3 to be sexually dangerous or is a sexually violent person and is
4 later released, or found to be no longer sexually dangerous or
5 no longer a sexually violent person and discharged, or
6 convicted of a violation of this Act after July 1, 2005, shall
7 report in person to the law enforcement agency with whom he or
8 she last registered no later than 90 days after the date of his
9 or her last registration and every 90 days thereafter and at
10 such other times at the request of the law enforcement agency
11 not to exceed 4 times a year. Such sexually dangerous or
12 sexually violent person must report all new or changed e-mail
13 addresses, all new or changed instant messaging identities, all
14 new or changed chat room identities, and all other new or
15 changed Internet communications identities that the sexually
16 dangerous or sexually violent person uses or plans to use, all
17 new or changed Uniform Resource Locators (URLs) registered or
18 used by the sexually dangerous or sexually violent person, and
19 all new or changed blogs and other Internet sites maintained by
20 the sexually dangerous or sexually violent person or to which
21 the sexually dangerous or sexually violent person has uploaded
22 any content or posted any messages or information. Any person
23 who lacks a fixed residence must report weekly, in person, to
24 the appropriate law enforcement agency where the sex offender
25 is located. Any other person who is required to register under
26 this Article shall report in person to the appropriate law

1 enforcement agency with whom he or she last registered within
2 one year from the date of last registration and every year
3 thereafter and at such other times at the request of the law
4 enforcement agency not to exceed 4 times a year. If any person
5 required to register under this Article lacks a fixed residence
6 or temporary domicile, he or she must notify, in person, the
7 agency of jurisdiction of his or her last known address within
8 5 days after ceasing to have a fixed residence and if the
9 offender leaves the last jurisdiction of residence, he or she,
10 must within 48 hours after leaving register in person with the
11 new agency of jurisdiction. If any other person required to
12 register under this Article changes his or her residence
13 address, place of employment, or school, he or she shall report
14 in person to ~~5~~ the law enforcement agency with whom he or she
15 last registered of his or her new address, change in
16 employment, or school, all new or changed e-mail addresses, all
17 new or changed instant messaging identities, all new or changed
18 chat room identities, and all other new or changed Internet
19 communications identities that the sex offender uses or plans
20 to use, all new or changed Uniform Resource Locators (URLs)
21 registered or used by the sex offender, and all new or changed
22 blogs and other Internet sites maintained by the sex offender
23 or to which the sex offender has uploaded any content or posted
24 any messages or information, and register, in person, with the
25 appropriate law enforcement agency within the time period
26 specified in Section 3. The law enforcement agency shall,

1 within 3 days of the reporting in person by the person required
2 to register under this Article, notify the Department of State
3 Police of the new place of residence, change in employment, or
4 school.

5 If any person required to register under this Article
6 intends to establish a residence or employment outside of the
7 State of Illinois, at least 10 days before establishing that
8 residence or employment, he or she shall report in person to
9 the law enforcement agency with which he or she last registered
10 of his or her out-of-state intended residence or employment.
11 The law enforcement agency with which such person last
12 registered shall, within 3 days after the reporting in person
13 of the person required to register under this Article of an
14 address or employment change, notify the Department of State
15 Police. The Department of State Police shall forward such
16 information to the out-of-state law enforcement agency having
17 jurisdiction in the form and manner prescribed by the
18 Department of State Police.

19 (Source: P.A. 93-977, eff. 8-20-04; 94-166, eff. 1-1-06;
20 94-168, eff. 1-1-06; revised 8-19-05.)

21 Section 10. The Sex Offender Community Notification Law is
22 amended by changing Section 120 as follows:

23 (730 ILCS 152/120)

24 Sec. 120. Community notification of sex offenders.

1 (a) The sheriff of the county, except Cook County, shall
2 disclose to the following the name, address, date of birth,
3 place of employment, school attended, e-mail addresses,
4 instant messaging identities, chat room identities, other
5 Internet communications identities, all Uniform Resource
6 Locators (URLs) registered or used by the sex offender, all
7 blogs and other Internet sites maintained by the sex offender
8 or to which the sex offender has uploaded any content or posted
9 any messages or information, and offense or adjudication of all
10 sex offenders required to register under Section 3 of the Sex
11 Offender Registration Act:

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

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

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

24 (a-2) The sheriff of Cook County shall disclose to the
25 following the name, address, date of birth, place of
26 employment, school attended, e-mail addresses, instant

1 messaging identities, chat room identities, other Internet
2 communications identities, all Uniform Resource Locators
3 (URLs) registered or used by the sex offender, all blogs and
4 other Internet sites maintained by the sex offender or to which
5 the sex offender has uploaded any content or posted any
6 messages or information, and offense or adjudication of all sex
7 offenders required to register under Section 3 of the Sex
8 Offender Registration Act:

9 (1) School boards of public school districts and the
10 principal or other appropriate administrative officer of
11 each nonpublic school located within the region of Cook
12 County, as those public school districts and nonpublic
13 schools are identified in LEADS, other than the City of
14 Chicago, where the sex offender is required to register or
15 is employed; and

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

20 (3) The boards of institutions of higher education or
21 other appropriate administrative offices of each
22 non-public institution of higher education located in the
23 county, other than the City of Chicago, where the sex
24 offender is required to register, resides, is employed, or
25 attending an institution of higher education.

26 (a-3) The Chicago Police Department shall disclose to the

1 following the name, address, date of birth, place of
2 employment, school attended, e-mail addresses, instant
3 messaging identities, chat room identities, other Internet
4 communications identities, all Uniform Resource Locators
5 (URLs) registered or used by the sex offender, all blogs and
6 other Internet sites maintained by the sex offender or to which
7 the sex offender has uploaded any content or posted any
8 messages or information, and offense or adjudication of all sex
9 offenders required to register under Section 3 of the Sex
10 Offender Registration Act:

11 (1) School boards of public school districts and the
12 principal or other appropriate administrative officer of
13 each nonpublic school located in the police district where
14 the sex offender is required to register or is employed if
15 the offender is required to register or is employed in the
16 City of Chicago; and

17 (2) Child care facilities located in the police
18 district where the sex offender is required to register or
19 is employed if the offender is required to register or is
20 employed in the City of Chicago; and

21 (3) The boards of institutions of higher education or
22 other appropriate administrative offices of each
23 non-public institution of higher education located in the
24 police district where the sex offender is required to
25 register, resides, is employed, or attending an
26 institution of higher education in the City of Chicago.

1 (a-4) The Department of State Police shall provide a list
2 of sex offenders required to register to the Illinois
3 Department of Children and Family Services.

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

8 (1) The offender's name, address, ~~and~~ date of birth,
9 e-mail addresses, instant messaging identities, chat room
10 identities, and other Internet communications identities,
11 all Uniform Resource Locators (URLs) registered or used by
12 the sex offender, and all blogs and other Internet sites
13 maintained by the sex offender or to which the sex offender
14 has uploaded any content or posted any messages or
15 information.

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

17 (3) Adjudication as a sexually dangerous person.

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

20 (5) Offender employment information, to protect public
21 safety.

22 (c) The name, address, date of birth, e-mail addresses,
23 instant messaging identities, chat room identities, other
24 Internet communications identities, all Uniform Resource
25 Locators (URLs) registered or used by the sex offender, all
26 blogs and other Internet sites maintained by the sex offender

1 or to which the sex offender has uploaded any content or posted
2 any messages or information, offense or adjudication, the
3 county of conviction, license plate numbers for every vehicle
4 registered in the name of the sex offender, the age of the sex
5 offender at the time of the commission of the offense, the age
6 of the victim at the time of the commission of the offense, and
7 any distinguishing marks located on the body of the sex
8 offender for sex offenders required to register under Section 3
9 of the Sex Offender Registration Act shall be open to
10 inspection by the public as provided in this Section. Every
11 municipal police department shall make available at its
12 headquarters the information on all sex offenders who are
13 required to register in the municipality under the Sex Offender
14 Registration Act. The sheriff shall also make available at his
15 or her headquarters the information on all sex offenders who
16 are required to register under that Act and who live in
17 unincorporated areas of the county. Sex offender information
18 must be made available for public inspection to any person, no
19 later than 72 hours or 3 business days from the date of the
20 request. The request must be made in person, in writing, or by
21 telephone. Availability must include giving the inquirer
22 access to a facility where the information may be copied. A
23 department or sheriff may charge a fee, but the fee may not
24 exceed the actual costs of copying the information. An inquirer
25 must be allowed to copy this information in his or her own
26 handwriting. A department or sheriff must allow access to the

1 information during normal public working hours. The sheriff or
2 a municipal police department may publish the photographs of
3 sex offenders where any victim was 13 years of age or younger
4 and who are required to register in the municipality or county
5 under the Sex Offender Registration Act in a newspaper or
6 magazine of general circulation in the municipality or county
7 or may disseminate the photographs of those sex offenders on
8 the Internet or on television. The law enforcement agency may
9 make available the information on all sex offenders residing
10 within any county.

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

15 (e) (Blank).

16 (f) The administrator of a transitional housing facility
17 for sex offenders shall comply with the notification procedures
18 established in paragraph (4) of subsection (b) of Section
19 3-17-5 of the Unified Code of Corrections.

20 (g) A principal or teacher of a public or private
21 elementary or secondary school shall notify the parents of
22 children attending the school during school registration or
23 during parent-teacher conferences that information about sex
24 offenders is available to the public as provided in this Act.

25 (Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06;
26 94-994, eff. 1-1-07.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".