

**SB0364**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB0364**

Introduced 2/7/2007, by Sen. Randall "Randy" M. Hultgren

**SYNOPSIS AS INTRODUCED:**

730 ILCS 152/120  
730 ILCS 154/95

Amends the Sex Offender Community Notification Law and the Child Murderer and Violent Offender Against Youth Registration Act. Provides that the local law enforcement agencies having jurisdiction shall disclose to libraries located within their jurisdictions the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders and violent offenders against youth required to register in their jurisdictions under the Acts. Effective immediately.

LRB095 09432 RLC 29629 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

**A BILL FOR**

1 AN ACT concerning 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 Community Notification Law is  
5 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

1 the sex offender is required to register or is employed;  
2 and

3 (4) Libraries located in the county where the sex  
4 offender is required to register or is employed.

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

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

17 (2) Child care facilities located within the region of  
18 Cook County, as those child care facilities are identified  
19 in LEADS, other than the City of Chicago, where the sex  
20 offender is required to register or is employed; 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 county, other than the City of Chicago, where the sex  
25 offender is required to register, resides, is employed, or  
26 attending an institution of higher education; and

1           (4) Libraries located in the county, other than the  
2           City of Chicago, where the sex offender is required to  
3           register, resides, is employed, or is attending an  
4           institution of higher education.

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

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

16           (2) Child care facilities located in the police  
17 district where the sex offender is required to register or  
18 is employed if the offender is required to register or is  
19 employed in the City of Chicago; 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 police district where the sex offender is required to  
24 register, resides, is employed, or attending an  
25 institution of higher education in the City of Chicago; and

26           (4) Libraries located in the police district where the

1       sex offender is required to register or is employed if the  
2       offender is required to register or is employed in the City  
3       of Chicago.

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

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

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

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

13             (3) Adjudication as a sexually dangerous person.

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

16             (5) Offender employment information, to protect public  
17      safety.

18       (c) The name, address, date of birth, offense or  
19      adjudication, the county of conviction, license plate numbers  
20      for every vehicle registered in the name of the sex offender,  
21      the age of the sex offender at the time of the commission of  
22      the offense, the age of the victim at the time of the  
23      commission of the offense, and any distinguishing marks located  
24      on the body of the sex offender for sex offenders required to  
25      register under Section 3 of the Sex Offender Registration Act  
26      shall be open to inspection by the public as provided in this

1 Section. Every municipal police department shall make  
2 available at its headquarters the information on all sex  
3 offenders who are required to register in the municipality  
4 under the Sex Offender Registration Act. The sheriff shall also  
5 make available at his or her headquarters the information on  
6 all sex offenders who are required to register under that Act  
7 and who live in unincorporated areas of the county. Sex  
8 offender information must be made available for public  
9 inspection to any person, no later than 72 hours or 3 business  
10 days from the date of the request. The request must be made in  
11 person, in writing, or by telephone. Availability must include  
12 giving the inquirer access to a facility where the information  
13 may be copied. A department or sheriff may charge a fee, but  
14 the fee may not exceed the actual costs of copying the  
15 information. An inquirer must be allowed to copy this  
16 information in his or her own handwriting. A department or  
17 sheriff must allow access to the information during normal  
18 public working hours. The sheriff or a municipal police  
19 department may publish the photographs of sex offenders where  
20 any victim was 13 years of age or younger and who are required  
21 to register in the municipality or county under the Sex  
22 Offender Registration Act in a newspaper or magazine of general  
23 circulation in the municipality or county or may disseminate  
24 the photographs of those sex offenders on the Internet or on  
25 television. The law enforcement agency may make available the  
26 information on all sex offenders residing within any county.

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

5 (e) (Blank).

6 (f) The administrator of a transitional housing facility  
7 for sex offenders shall comply with the notification procedures  
8 established in paragraph (4) of subsection (b) of Section  
9 3-17-5 of the Unified Code of Corrections.

10 (g) A principal or teacher of a public or private  
11 elementary or secondary school shall notify the parents of  
12 children attending the school during school registration or  
13 during parent-teacher conferences that information about sex  
14 offenders is available to the public as provided in this Act.

15 (Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06;  
16 94-994, eff. 1-1-07.)

17 Section 10. The Child Murderer and Violent Offender Against  
18 Youth Registration Act is amended by changing Section 95 as  
19 follows:

20 (730 ILCS 154/95)

21 Sec. 95. Community notification of violent offenders  
22 against youth.

23 (a) The sheriff of the county, except Cook County, shall  
24 disclose to the following the name, address, date of birth,

1 place of employment, school attended, and offense or  
2 adjudication of all violent offenders against youth required to  
3 register under Section 10 of this Act:

4 (1) The boards of institutions of higher education or  
5 other appropriate administrative offices of each  
6 non-public institution of higher education located in the  
7 county where the violent offender against youth is required  
8 to register, resides, is employed, or is attending an  
9 institution of higher education; and

10 (2) School boards of public school districts and the  
11 principal or other appropriate administrative officer of  
12 each nonpublic school located in the county where the  
13 violent offender against youth is required to register or  
14 is employed; and

15 (3) Child care facilities located in the county where  
16 the violent offender against youth is required to register  
17 or is employed; and

18 (4) Libraries located in the county where the violent  
19 offender against youth is required to register or is  
20 employed.

21 (a-2) The sheriff of Cook County shall disclose to the  
22 following the name, address, date of birth, place of  
23 employment, school attended, and offense or adjudication of all  
24 violent offenders against youth required to register under  
25 Section 10 of this Act:

26 (1) School boards of public school districts and the



1 principal or other appropriate administrative officer of  
2 each nonpublic school located within the region of Cook  
3 County, as those public school districts and nonpublic  
4 schools are identified in LEADS, other than the City of  
5 Chicago, where the violent offender against youth is  
6 required to register or is employed; and

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

12 (3) 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, other than the City of Chicago, where the violent  
16 offender against youth is required to register, resides, is  
17 employed, or attending an institution of higher education;  
18 and

19 (4) Libraries located in the county, other than the  
20 City of Chicago, where the violent offender against youth  
21 is required to register, resides, is employed, or is  
22 attending an institution of higher education.

23 (a-3) The Chicago Police Department shall disclose to the  
24 following the name, address, date of birth, place of  
25 employment, school attended, and offense or adjudication of all  
26 violent offenders against youth required to register under

1 Section 10 of this Act:

2 (1) School boards of public school districts and the  
3 principal or other appropriate administrative officer of  
4 each nonpublic school located in the police district where  
5 the violent offender against youth is required to register  
6 or is employed if the offender is required to register or  
7 is employed in the City of Chicago; and

8 (2) Child care facilities located in the police  
9 district where the violent offender against youth is  
10 required to register or is employed if the offender is  
11 required to register or is employed in the City of Chicago;  
12 and

13 (3) 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 police district where the violent offender against youth is  
17 required to register, resides, is employed, or attending an  
18 institution of higher education in the City of Chicago; and

19 (4) Libraries located in the police district where the  
20 violent offender against youth is required to register or  
21 is employed if the offender is required to register or is  
22 employed in the City of Chicago.

23 (a-4) The Department of State Police shall provide a list  
24 of violent offenders against youth required to register to the  
25 Illinois Department of Children and Family Services.

26 (b) The Department of State Police and any law enforcement

1 agency may disclose, in the Department's or agency's  
2 discretion, the following information to any person likely to  
3 encounter a violent offender against youth:

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

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

6 (3) The offender's photograph or other such  
7 information that will help identify the violent offender  
8 against youth.

9 (4) Offender employment information, to protect public  
10 safety.

11 (c) The name, address, date of birth, and offense or  
12 adjudication for violent offenders against youth required to  
13 register under Section 10 of this Act shall be open to  
14 inspection by the public as provided in this Section. Every  
15 municipal police department shall make available at its  
16 headquarters the information on all violent offenders against  
17 youth who are required to register in the municipality under  
18 this Act. The sheriff shall also make available at his or her  
19 headquarters the information on all violent offenders against  
20 youth who are required to register under this Act and who live  
21 in unincorporated areas of the county. Violent offender against  
22 youth information must be made available for public inspection  
23 to any person, no later than 72 hours or 3 business days from  
24 the date of the request. The request must be made in person, in  
25 writing, or by telephone. Availability must include giving the  
26 inquirer access to a facility where the information may be

1 copied. A department or sheriff may charge a fee, but the fee  
2 may not exceed the actual costs of copying the information. An  
3 inquirer must be allowed to copy this information in his or her  
4 own handwriting. A department or sheriff must allow access to  
5 the information during normal public working hours. The sheriff  
6 or a municipal police department may publish the photographs of  
7 violent offenders against youth where any victim was 13 years  
8 of age or younger and who are required to register in the  
9 municipality or county under this Act in a newspaper or  
10 magazine of general circulation in the municipality or county  
11 or may disseminate the photographs of those violent offenders  
12 against youth on the Internet or on television. The law  
13 enforcement agency may make available the information on all  
14 violent offenders against youth residing within any county.

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

19 (Source: P.A. 94-945, eff. 6-27-06.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.