

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended, if and  
5 only if Senate Bill 697 of the 95th General Assembly becomes  
6 law in the form in which it passed both houses on June 6, 2007,  
7 by changing Sections 11-9.3 and 11-9.4 as follows:

8 (720 ILCS 5/11-9.3)

9 Sec. 11-9.3. Presence within school zone by child sex  
10 offenders prohibited.

11 (a) It is unlawful for a child sex offender to knowingly be  
12 present in any school building, on real property comprising any  
13 school, or in any conveyance owned, leased, or contracted by a  
14 school to transport students to or from school or a school  
15 related activity when persons under the age of 18 are present  
16 in the building, on the grounds or in the conveyance, unless  
17 the offender is a parent or guardian of a student attending the  
18 school and the parent or guardian is: (i) attending a  
19 conference at the school with school personnel to discuss the  
20 progress of his or her child academically or socially, (ii)  
21 participating in child review conferences in which evaluation  
22 and placement decisions may be made with respect to his or her  
23 child regarding special education services, or (iii) attending

1 conferences to discuss other student issues concerning his or  
2 her child such as retention and promotion and notifies the  
3 principal of the school of his or her presence at the school or  
4 unless the offender has permission to be present from the  
5 superintendent or the school board or in the case of a private  
6 school from the principal. In the case of a public school, if  
7 permission is granted, the superintendent or school board  
8 president must inform the principal of the school where the sex  
9 offender will be present. Notification includes the nature of  
10 the sex offender's visit and the hours in which the sex  
11 offender will be present in the school. The sex offender is  
12 responsible for notifying the principal's office when he or she  
13 arrives on school property and when he or she departs from  
14 school property. If the sex offender is to be present in the  
15 vicinity of children, the sex offender has the duty to remain  
16 under the direct supervision of a school official. A child sex  
17 offender who violates this provision is guilty of a Class 4  
18 felony.

19 Nothing in this Section shall be construed to infringe upon  
20 the constitutional right of a child sex offender to be present  
21 in a school building that is used as a polling place for the  
22 purpose of voting.

23 ~~(1) (Blank; or)~~

24 ~~(2) (Blank.)~~

25 (b) It is unlawful for a child sex offender to knowingly  
26 loiter within 500 feet of a school building or real property

1 comprising any school while persons under the age of 18 are  
2 present in the building or on the grounds, unless the offender  
3 is a parent or guardian of a student attending the school and  
4 the parent or guardian is: (i) attending a conference at the  
5 school with school personnel to discuss the progress of his or  
6 her child academically or socially, (ii) participating in child  
7 review conferences in which evaluation and placement decisions  
8 may be made with respect to his or her child regarding special  
9 education services, or (iii) attending conferences to discuss  
10 other student issues concerning his or her child such as  
11 retention and promotion and notifies the principal of the  
12 school of his or her presence at the school or has permission  
13 to be present from the superintendent or the school board or in  
14 the case of a private school from the principal. In the case of  
15 a public school, if permission is granted, the superintendent  
16 or school board president must inform the principal of the  
17 school where the sex offender will be present. Notification  
18 includes the nature of the sex offender's visit and the hours  
19 in which the sex offender will be present in the school. The  
20 sex offender is responsible for notifying the principal's  
21 office when he or she arrives on school property and when he or  
22 she departs from school property. If the sex offender is to be  
23 present in the vicinity of children, the sex offender has the  
24 duty to remain under the direct supervision of a school  
25 official. A child sex offender who violates this provision is  
26 guilty of a Class 4 felony.

1           ~~(1) (Blank; or)~~

2           ~~(2) (Blank.)~~

3           (b-5) It is unlawful for a child sex offender to knowingly  
4           reside within 500 feet of a school building or the real  
5           property comprising any school that persons under the age of 18  
6           attend. Nothing in this subsection (b-5) prohibits a child sex  
7           offender from residing within 500 feet of a school building or  
8           the real property comprising any school that persons under 18  
9           attend if the property is owned by the child sex offender and  
10          was purchased before the effective date of this amendatory Act  
11          of the 91st General Assembly.

12          (c) Definitions. In this Section:

13           (1) "Child sex offender" means any person who:

14           (i) has been charged under Illinois law, or any  
15           substantially similar federal law or law of another  
16           state, with a sex offense set forth in paragraph (2) of  
17           this subsection (c) or the attempt to commit an  
18           included sex offense, and:

19           (A) is convicted of such offense or an attempt  
20           to commit such offense; or

21           (B) is found not guilty by reason of insanity  
22           of such offense or an attempt to commit such  
23           offense; or

24           (C) is found not guilty by reason of insanity  
25           pursuant to subsection (c) of Section 104-25 of the  
26           Code of Criminal Procedure of 1963 of such offense

1 or an attempt to commit such offense; or

2 (D) is the subject of a finding not resulting  
3 in an acquittal at a hearing conducted pursuant to  
4 subsection (a) of Section 104-25 of the Code of  
5 Criminal Procedure of 1963 for the alleged  
6 commission or attempted commission of such  
7 offense; or

8 (E) is found not guilty by reason of insanity  
9 following a hearing conducted pursuant to a  
10 federal law or the law of another state  
11 substantially similar to subsection (c) of Section  
12 104-25 of the Code of Criminal Procedure of 1963 of  
13 such offense or of the attempted commission of such  
14 offense; or

15 (F) is the subject of a finding not resulting  
16 in an acquittal at a hearing conducted pursuant to  
17 a federal law or the law of another state  
18 substantially similar to subsection (a) of Section  
19 104-25 of the Code of Criminal Procedure of 1963  
20 for the alleged violation or attempted commission  
21 of such offense; or

22 (ii) is certified as a sexually dangerous person  
23 pursuant to the Illinois Sexually Dangerous Persons  
24 Act, or any substantially similar federal law or the  
25 law of another state, when any conduct giving rise to  
26 such certification is committed or attempted against a

1 person less than 18 years of age; or

2 (iii) is subject to the provisions of Section 2 of  
3 the Interstate Agreements on Sexually Dangerous  
4 Persons Act.

5 Convictions that result from or are connected with the  
6 same act, or result from offenses committed at the same  
7 time, shall be counted for the purpose of this Section as  
8 one conviction. Any conviction set aside pursuant to law is  
9 not a conviction for purposes of this Section.

10 (2) Except as otherwise provided in paragraph (2.5),  
11 "sex offense" means:

12 (i) A violation of any of the following Sections of  
13 the Criminal Code of 1961: 10-7 (aiding and abetting  
14 child abduction under Section 10-5(b)(10)),  
15 10-5(b)(10) (child luring), 11-6 (indecent  
16 solicitation of a child), 11-6.5 (indecent  
17 solicitation of an adult), 11-9 (public indecency when  
18 committed in a school, on the real property comprising  
19 a school, or on a conveyance, owned, leased, or  
20 contracted by a school to transport students to or from  
21 school or a school related activity), 11-9.1 (sexual  
22 exploitation of a child), 11-15.1 (soliciting for a  
23 juvenile prostitute), 11-17.1 (keeping a place of  
24 juvenile prostitution), 11-18.1 (patronizing a  
25 juvenile prostitute), 11-19.1 (juvenile pimping),  
26 11-19.2 (exploitation of a child), 11-20.1 (child

1           pornography), 11-20.3 (aggravated child pornography),  
2           11-21 (harmful material), 12-14.1 (predatory criminal  
3           sexual assault of a child), 12-33 (ritualized abuse of  
4           a child), 11-20 (obscenity) (when that offense was  
5           committed in any school, on real property comprising  
6           any school, in any conveyance owned, leased, or  
7           contracted by a school to transport students to or from  
8           school or a school related activity). An attempt to  
9           commit any of these offenses.

10           (ii) A violation of any of the following Sections  
11           of the Criminal Code of 1961, when the victim is a  
12           person under 18 years of age: 12-13 (criminal sexual  
13           assault), 12-14 (aggravated criminal sexual assault),  
14           12-15 (criminal sexual abuse), 12-16 (aggravated  
15           criminal sexual abuse). An attempt to commit any of  
16           these offenses.

17           (iii) A violation of any of the following Sections  
18           of the Criminal Code of 1961, when the victim is a  
19           person under 18 years of age and the defendant is not a  
20           parent of the victim:

21                   10-1 (kidnapping),  
22                   10-2 (aggravated kidnapping),  
23                   10-3 (unlawful restraint),  
24                   10-3.1 (aggravated unlawful restraint).

25           An attempt to commit any of these offenses.

26           (iv) A violation of any former law of this State

1 substantially equivalent to any offense listed in  
2 clause (2) (i) of subsection (c) of this Section.

3 (2.5) For the purposes of subsection (b-5) only, a sex  
4 offense means:

5 (i) A violation of any of the following Sections of  
6 the Criminal Code of 1961:

7 10-5(b)(10) (child luring), 10-7 (aiding and  
8 abetting child abduction under Section  
9 10-5(b)(10)), 11-6 (indecent solicitation of a  
10 child), 11-6.5 (indecent solicitation of an  
11 adult), 11-15.1 (soliciting for a juvenile  
12 prostitute), 11-17.1 (keeping a place of juvenile  
13 prostitution), 11-18.1 (patronizing a juvenile  
14 prostitute), 11-19.1 (juvenile pimping), 11-19.2  
15 (exploitation of a child), 11-20.1 (child  
16 pornography), 11-20.3 (aggravated child  
17 pornography), 12-14.1 (predatory criminal sexual  
18 assault of a child), or 12-33 (ritualized abuse of  
19 a child). An attempt to commit any of these  
20 offenses.

21 (ii) A violation of any of the following Sections  
22 of the Criminal Code of 1961, when the victim is a  
23 person under 18 years of age: 12-13 (criminal sexual  
24 assault), 12-14 (aggravated criminal sexual assault),  
25 12-16 (aggravated criminal sexual abuse), and  
26 subsection (a) of Section 12-15 (criminal sexual



1 abuse). An attempt to commit any of these offenses.

2 (iii) A violation of any of the following Sections  
3 of the Criminal Code of 1961, when the victim is a  
4 person under 18 years of age and the defendant is not a  
5 parent of the victim:

6 10-1 (kidnapping),

7 10-2 (aggravated kidnapping),

8 10-3 (unlawful restraint),

9 10-3.1 (aggravated unlawful restraint).

10 An attempt to commit any of these offenses.

11 (iv) A violation of any former law of this State  
12 substantially equivalent to any offense listed in this  
13 paragraph (2.5) of this subsection.

14 (3) A conviction for an offense of federal law or the  
15 law of another state that is substantially equivalent to  
16 any offense listed in paragraph (2) of subsection (c) of  
17 this Section shall constitute a conviction for the purpose  
18 of this Article. A finding or adjudication as a sexually  
19 dangerous person under any federal law or law of another  
20 state that is substantially equivalent to the Sexually  
21 Dangerous Persons Act shall constitute an adjudication for  
22 the purposes of this Section.

23 (4) "School" means a public or private pre-school,  
24 elementary, or secondary school.

25 (5) "Loiter" means:

26 (i) Standing, sitting idly, whether or not the

1 person is in a vehicle or remaining in or around school  
2 property.

3 (ii) Standing, sitting idly, whether or not the  
4 person is in a vehicle or remaining in or around school  
5 property, for the purpose of committing or attempting  
6 to commit a sex offense.

7 (iii) Entering or remaining in a building in or  
8 around school property, other than the offender's  
9 residence.

10 (6) "School official" means the principal, a teacher,  
11 or any other certified employee of the school, the  
12 superintendent of schools or a member of the school board.

13 (d) Sentence. A person who violates this Section is guilty  
14 of a Class 4 felony.

15 (Source: P.A. 94-158, eff. 7-11-05; 94-164, eff. 1-1-06;  
16 94-170, eff. 7-11-05; revised 9-15-06.)

17 (720 ILCS 5/11-9.4)

18 Sec. 11-9.4. Approaching, contacting, residing, or  
19 communicating with a child within certain places by child sex  
20 offenders prohibited.

21 (a) It is unlawful for a child sex offender to knowingly be  
22 present in any public park building or on real property  
23 comprising any public park when persons under the age of 18 are  
24 present in the building or on the grounds and to approach,  
25 contact, or communicate with a child under 18 years of age,

1 unless the offender is a parent or guardian of a person under  
2 18 years of age present in the building or on the grounds.

3 (b) It is unlawful for a child sex offender to knowingly  
4 loiter on a public way within 500 feet of a public park  
5 building or real property comprising any public park while  
6 persons under the age of 18 are present in the building or on  
7 the grounds and to approach, contact, or communicate with a  
8 child under 18 years of age, unless the offender is a parent or  
9 guardian of a person under 18 years of age present in the  
10 building or on the grounds.

11 (b-5) It is unlawful for a child sex offender to knowingly  
12 reside within 500 feet of a playground, child care institution,  
13 day care center, part day child care facility, or a facility  
14 providing programs or services exclusively directed toward  
15 persons under 18 years of age. Nothing in this subsection (b-5)  
16 prohibits a child sex offender from residing within 500 feet of  
17 a playground or a facility providing programs or services  
18 exclusively directed toward persons under 18 years of age if  
19 the property is owned by the child sex offender and was  
20 purchased before the effective date of this amendatory Act of  
21 the 91st General Assembly. Nothing in this subsection (b-5)  
22 prohibits a child sex offender from residing within 500 feet of  
23 a child care institution, day care center, or part day child  
24 care facility if the property is owned by the child sex  
25 offender and was purchased before the effective date of this  
26 amendatory Act of the 94th General Assembly.

1 (b-6) It is unlawful for a child sex offender to knowingly  
2 reside within 500 feet of the victim of the sex offense.  
3 Nothing in this subsection (b-6) prohibits a child sex offender  
4 from residing within 500 feet of the victim if the property in  
5 which the child sex offender resides is owned by the child sex  
6 offender and was purchased before the effective date of this  
7 amendatory Act of the 92nd General Assembly.

8 This subsection (b-6) does not apply if the victim of the  
9 sex offense is 21 years of age or older.

10 (c) It is unlawful for a child sex offender to knowingly  
11 operate, manage, be employed by, volunteer at, be associated  
12 with, or knowingly be present at any: (i) facility providing  
13 programs or services exclusively directed towards persons  
14 under the age of 18; (ii) day care center; (iii) part day child  
15 care facility; (iv) child care institution, or (v) school  
16 providing before and after school programs for children under  
17 18 years of age. This does not prohibit a child sex offender  
18 from owning the real property upon which the programs or  
19 services are offered or upon which the day care center, part  
20 day child care facility, child care institution, or school  
21 providing before and after school programs for children under  
22 18 years of age is located, provided the child sex offender  
23 refrains from being present on the premises for the hours  
24 during which: (1) the programs or services are being offered or  
25 (2) the day care center, part day child care facility, child  
26 care institution, or school providing before and after school

1 programs for children under 18 years of age is operated.

2 (d) Definitions. In this Section:

3 (1) "Child sex offender" means any person who:

4 (i) has been charged under Illinois law, or any  
5 substantially similar federal law or law of another  
6 state, with a sex offense set forth in paragraph (2) of  
7 this subsection (d) or the attempt to commit an  
8 included sex offense, and:

9 (A) is convicted of such offense or an attempt  
10 to commit such offense; or

11 (B) is found not guilty by reason of insanity  
12 of such offense or an attempt to commit such  
13 offense; or

14 (C) is found not guilty by reason of insanity  
15 pursuant to subsection (c) of Section 104-25 of the  
16 Code of Criminal Procedure of 1963 of such offense  
17 or an attempt to commit such offense; or

18 (D) is the subject of a finding not resulting  
19 in an acquittal at a hearing conducted pursuant to  
20 subsection (a) of Section 104-25 of the Code of  
21 Criminal Procedure of 1963 for the alleged  
22 commission or attempted commission of such  
23 offense; or

24 (E) is found not guilty by reason of insanity  
25 following a hearing conducted pursuant to a  
26 federal law or the law of another state

1 substantially similar to subsection (c) of Section  
2 104-25 of the Code of Criminal Procedure of 1963 of  
3 such offense or of the attempted commission of such  
4 offense; or

5 (F) is the subject of a finding not resulting  
6 in an acquittal at a hearing conducted pursuant to  
7 a federal law or the law of another state  
8 substantially similar to subsection (a) of Section  
9 104-25 of the Code of Criminal Procedure of 1963  
10 for the alleged violation or attempted commission  
11 of such offense; or

12 (ii) is certified as a sexually dangerous person  
13 pursuant to the Illinois Sexually Dangerous Persons  
14 Act, or any substantially similar federal law or the  
15 law of another state, when any conduct giving rise to  
16 such certification is committed or attempted against a  
17 person less than 18 years of age; or

18 (iii) is subject to the provisions of Section 2 of  
19 the Interstate Agreements on Sexually Dangerous  
20 Persons Act.

21 Convictions that result from or are connected with the  
22 same act, or result from offenses committed at the same  
23 time, shall be counted for the purpose of this Section as  
24 one conviction. Any conviction set aside pursuant to law is  
25 not a conviction for purposes of this Section.

26 (2) Except as otherwise provided in paragraph (2.5),

1 "sex offense" means:

2 (i) A violation of any of the following Sections of  
3 the Criminal Code of 1961: 10-7 (aiding and abetting  
4 child abduction under Section 10-5(b)(10)),  
5 10-5(b)(10) (child luring), 11-6 (indecent  
6 solicitation of a child), 11-6.5 (indecent  
7 solicitation of an adult), 11-9 (public indecency when  
8 committed in a school, on the real property comprising  
9 a school, on a conveyance owned, leased, or contracted  
10 by a school to transport students to or from school or  
11 a school related activity, or in a public park), 11-9.1  
12 (sexual exploitation of a child), 11-15.1 (soliciting  
13 for a juvenile prostitute), 11-17.1 (keeping a place of  
14 juvenile prostitution), 11-18.1 (patronizing a  
15 juvenile prostitute), 11-19.1 (juvenile pimping),  
16 11-19.2 (exploitation of a child), 11-20.1 (child  
17 pornography), 11-20.3 (aggravated child pornography),  
18 11-21 (harmful material), 12-14.1 (predatory criminal  
19 sexual assault of a child), 12-33 (ritualized abuse of  
20 a child), 11-20 (obscenity) (when that offense was  
21 committed in any school, on real property comprising  
22 any school, on any conveyance owned, leased, or  
23 contracted by a school to transport students to or from  
24 school or a school related activity, or in a public  
25 park). An attempt to commit any of these offenses.

26 (ii) A violation of any of the following Sections

1 of the Criminal Code of 1961, when the victim is a  
2 person under 18 years of age: 12-13 (criminal sexual  
3 assault), 12-14 (aggravated criminal sexual assault),  
4 12-15 (criminal sexual abuse), 12-16 (aggravated  
5 criminal sexual abuse). An attempt to commit any of  
6 these offenses.

7 (iii) A violation of any of the following Sections  
8 of the Criminal Code of 1961, when the victim is a  
9 person under 18 years of age and the defendant is not a  
10 parent of the victim:

11 10-1 (kidnapping),

12 10-2 (aggravated kidnapping),

13 10-3 (unlawful restraint),

14 10-3.1 (aggravated unlawful restraint).

15 An attempt to commit any of these offenses.

16 (iv) A violation of any former law of this State  
17 substantially equivalent to any offense listed in  
18 clause (2) (i) of this subsection (d).

19 (2.5) For the purposes of subsection (b-5) only, a sex  
20 offense means:

21 (i) A violation of any of the following Sections of  
22 the Criminal Code of 1961:

23 10-5(b)(10) (child luring), 10-7 (aiding and  
24 abetting child abduction under Section  
25 10-5(b)(10)), 11-6 (indecent solicitation of a  
26 child), 11-6.5 (indecent solicitation of an



1 adult), 11-15.1 (soliciting for a juvenile  
2 prostitute), 11-17.1 (keeping a place of juvenile  
3 prostitution), 11-18.1 (patronizing a juvenile  
4 prostitute), 11-19.1 (juvenile pimping), 11-19.2  
5 (exploitation of a child), 11-20.1 (child  
6 pornography), 11-20.3 (aggravated child  
7 pornography), 12-14.1 (predatory criminal sexual  
8 assault of a child), or 12-33 (ritualized abuse of  
9 a child). An attempt to commit any of these  
10 offenses.

11 (ii) A violation of any of the following Sections  
12 of the Criminal Code of 1961, when the victim is a  
13 person under 18 years of age: 12-13 (criminal sexual  
14 assault), 12-14 (aggravated criminal sexual assault),  
15 12-16 (aggravated criminal sexual abuse), and  
16 subsection (a) of Section 12-15 (criminal sexual  
17 abuse). An attempt to commit any of these offenses.

18 (iii) A violation of any of the following Sections  
19 of the Criminal Code of 1961, when the victim is a  
20 person under 18 years of age and the defendant is not a  
21 parent of the victim:

22 10-1 (kidnapping),  
23 10-2 (aggravated kidnapping),  
24 10-3 (unlawful restraint),  
25 10-3.1 (aggravated unlawful restraint).

26 An attempt to commit any of these offenses.

1           (iv) A violation of any former law of this State  
2           substantially equivalent to any offense listed in this  
3           paragraph (2.5) of this subsection.

4           (3) A conviction for an offense of federal law or the  
5           law of another state that is substantially equivalent to  
6           any offense listed in paragraph (2) of this subsection (d)  
7           shall constitute a conviction for the purpose of this  
8           Section. A finding or adjudication as a sexually dangerous  
9           person under any federal law or law of another state that  
10          is substantially equivalent to the Sexually Dangerous  
11          Persons Act shall constitute an adjudication for the  
12          purposes of this Section.

13          (4) "Public park" includes a park, forest preserve, or  
14          conservation area under the jurisdiction of the State or a  
15          unit of local government.

16          (5) "Facility providing programs or services directed  
17          towards persons under the age of 18" means any facility  
18          providing programs or services exclusively directed  
19          towards persons under the age of 18.

20          (6) "Loiter" means:

21           (i) Standing, sitting idly, whether or not the  
22           person is in a vehicle or remaining in or around public  
23           park property.

24           (ii) Standing, sitting idly, whether or not the  
25           person is in a vehicle or remaining in or around public  
26           park property, for the purpose of committing or

1 attempting to commit a sex offense.

2 (7) "Playground" means a piece of land owned or  
3 controlled by a unit of local government that is designated  
4 by the unit of local government for use solely or primarily  
5 for children's recreation.

6 (8) "Child care institution" has the meaning ascribed  
7 to it in Section 2.06 of the Child Care Act of 1969.

8 (9) "Day care center" has the meaning ascribed to it in  
9 Section 2.09 of the Child Care Act of 1969.

10 (10) "Part day child care facility" has the meaning  
11 ascribed to it in Section 2.10 of the Child Care Act of  
12 1969.

13 (e) Sentence. A person who violates this Section is guilty  
14 of a Class 4 felony.

15 (Source: P.A. 94-925, eff. 6-26-06.)

16 Section 10. The Criminal Code of 1961 is amended by  
17 changing Sections 11-19.2, 12-13, and 12-14.1 as follows:

18 (720 ILCS 5/11-19.2) (from Ch. 38, par. 11-19.2)

19 Sec. 11-19.2. Exploitation of a child.

20 (A) A person commits exploitation of a child when he or she  
21 confines a child under the age of 16 or a severely or  
22 profoundly mentally retarded person against his or her will by  
23 the infliction or threat of imminent infliction of great bodily  
24 harm, permanent disability or disfigurement or by

1 administering to the child or severely or profoundly mentally  
2 retarded person without his or her consent or by threat or  
3 deception and for other than medical purposes, any alcoholic  
4 intoxicant or a drug as defined in the Illinois Controlled  
5 Substances Act or the Cannabis Control Act or methamphetamine  
6 as defined in the Methamphetamine Control and Community  
7 Protection Act and:

8 (1) compels the child or severely or profoundly  
9 mentally retarded person to become a prostitute; or

10 (2) arranges a situation in which the child or severely  
11 or profoundly mentally retarded person may practice  
12 prostitution; or

13 (3) receives any money, property, token, object, or  
14 article or anything of value from the child or severely or  
15 profoundly mentally retarded person knowing it was  
16 obtained in whole or in part from the practice of  
17 prostitution.

18 (B) For purposes of this Section, administering drugs, as  
19 defined in subsection (A), or an alcoholic intoxicant to a  
20 child under the age of 13 or a severely or profoundly mentally  
21 retarded person shall be deemed to be without consent if such  
22 administering is done without the consent of the parents or  
23 legal guardian.

24 (C) Exploitation of a child is a Class X felony, for which  
25 the person shall be sentenced to a term of imprisonment of not  
26 less than 6 years and not more than 60 years.

1 (D) Any person convicted under this Section is subject to  
2 the forfeiture provisions of Section 11-20.1A of this Act.

3 (Source: P.A. 94-556, eff. 9-11-05.)

4 (720 ILCS 5/12-13) (from Ch. 38, par. 12-13)

5 Sec. 12-13. Criminal Sexual Assault.

6 (a) The accused commits criminal sexual assault if he or  
7 she:

8 (1) commits an act of sexual penetration by the use of  
9 force or threat of force; or

10 (2) commits an act of sexual penetration and the  
11 accused knew that the victim was unable to understand the  
12 nature of the act or was unable to give knowing consent; or

13 (3) commits an act of sexual penetration with a victim  
14 who was under 18 years of age when the act was committed  
15 and the accused was a family member; or

16 (4) commits an act of sexual penetration with a victim  
17 who was at least 13 years of age but under 18 years of age  
18 when the act was committed and the accused was 17 years of  
19 age or over and held a position of trust, authority or  
20 supervision in relation to the victim.

21 (b) Sentence.

22 (1) Criminal sexual assault is a Class 1 felony.

23 (2) A person who is convicted of the offense of  
24 criminal sexual assault as defined in paragraph (a)(1) or  
25 (a)(2) after having previously been convicted of the

1 offense of criminal sexual assault or the offense of  
2 exploitation of a child, or who is convicted of the offense  
3 of criminal sexual assault as defined in paragraph (a)(1)  
4 or (a)(2) after having previously been convicted under the  
5 laws of this State or any other state of an offense that is  
6 substantially equivalent to the offense of criminal sexual  
7 assault or to the offense of exploitation of a child,  
8 commits a Class X felony for which the person shall be  
9 sentenced to a term of imprisonment of not less than 30  
10 years and not more than 60 years. The commission of the  
11 second or subsequent offense is required to have been after  
12 the initial conviction for this paragraph (2) to apply.

13 (3) A person who is convicted of the offense of  
14 criminal sexual assault as defined in paragraph (a)(1) or  
15 (a)(2) after having previously been convicted of the  
16 offense of aggravated criminal sexual assault or the  
17 offense of predatory criminal sexual assault of a child, or  
18 who is convicted of the offense of criminal sexual assault  
19 as defined in paragraph (a)(1) or (a)(2) after having  
20 previously been convicted under the laws of this State or  
21 any other state of an offense that is substantially  
22 equivalent to the offense of aggravated criminal sexual  
23 assault or the offense of criminal predatory sexual assault  
24 shall be sentenced to a term of natural life imprisonment.  
25 The commission of the second or subsequent offense is  
26 required to have been after the initial conviction for this

1 paragraph (3) to apply.

2 (4) A second or subsequent conviction for a violation  
3 of paragraph (a) (3) or (a) (4) or under any similar statute  
4 of this State or any other state for any offense involving  
5 criminal sexual assault that is substantially equivalent  
6 to or more serious than the sexual assault prohibited under  
7 paragraph (a) (3) or (a) (4) is a Class X felony.

8 (5) When a person has any such prior conviction, the  
9 information or indictment charging that person shall state  
10 such prior conviction so as to give notice of the State's  
11 intention to treat the charge as a Class X felony. The fact  
12 of such prior conviction is not an element of the offense  
13 and may not be disclosed to the jury during trial unless  
14 otherwise permitted by issues properly raised during such  
15 trial.

16 (Source: P.A. 90-396, eff. 1-1-98.)

17 (720 ILCS 5/12-14.1)

18 Sec. 12-14.1. Predatory criminal sexual assault of a child.

19 (a) The accused commits predatory criminal sexual assault  
20 of a child if:

21 (1) the accused was 17 years of age or over and commits  
22 an act of sexual penetration with a victim who was under 13  
23 years of age when the act was committed; or

24 (1.1) the accused was 17 years of age or over and,  
25 while armed with a firearm, commits an act of sexual

1 penetration with a victim who was under 13 years of age  
2 when the act was committed; or

3 (1.2) the accused was 17 years of age or over and  
4 commits an act of sexual penetration with a victim who was  
5 under 13 years of age when the act was committed and,  
6 during the commission of the offense, the accused  
7 personally discharged a firearm; or

8 (2) the accused was 17 years of age or over and commits  
9 an act of sexual penetration with a victim who was under 13  
10 years of age when the act was committed and the accused  
11 caused great bodily harm to the victim that:

12 (A) resulted in permanent disability; or

13 (B) was life threatening; or

14 (3) the accused was 17 years of age or over and commits  
15 an act of sexual penetration with a victim who was under 13  
16 years of age when the act was committed and the accused  
17 delivered (by injection, inhalation, ingestion, transfer  
18 of possession, or any other means) to the victim without  
19 his or her consent, or by threat or deception, and for  
20 other than medical purposes, any controlled substance.

21 (b) Sentence.

22 (1) A person convicted of a violation of subsection  
23 (a) (1) commits a Class X felony, for which the person shall  
24 be sentenced to a term of imprisonment of not less than 6  
25 years and not more than 60 years. A person convicted of a  
26 violation of subsection (a) (1.1) commits a Class X felony



1 for which 15 years shall be added to the term of  
2 imprisonment imposed by the court. A person convicted of a  
3 violation of subsection (a) (1.2) commits a Class X felony  
4 for which 20 years shall be added to the term of  
5 imprisonment imposed by the court. A person convicted of a  
6 violation of subsection (a) (2) commits a Class X felony for  
7 which the person shall be sentenced to a term of  
8 imprisonment of not less than 50 years or up to a term of  
9 natural life imprisonment.

10 (1.1) A person convicted of a violation of subsection  
11 (a) (3) commits a Class X felony for which the person shall  
12 be sentenced to a term of imprisonment of not less than 50  
13 years and not more than 60 years.

14 (1.2) A person convicted of predatory criminal sexual  
15 assault of a child committed against 2 or more persons  
16 regardless of whether the offenses occurred as the result  
17 of the same act or of several related or unrelated acts  
18 shall be sentenced to a term of natural life imprisonment.

19 (2) A person who is convicted of a second or subsequent  
20 offense of predatory criminal sexual assault of a child, or  
21 who is convicted of the offense of predatory criminal  
22 sexual assault of a child after having previously been  
23 convicted of the offense of criminal sexual assault or the  
24 offense of aggravated criminal sexual assault, or who is  
25 convicted of the offense of predatory criminal sexual  
26 assault of a child after having previously been convicted

1 under the laws of this State or any other state of an  
2 offense that is substantially equivalent to the offense of  
3 predatory criminal sexual assault of a child, the offense  
4 of aggravated criminal sexual assault or the offense of  
5 criminal sexual assault, shall be sentenced to a term of  
6 natural life imprisonment. The commission of the second or  
7 subsequent offense is required to have been after the  
8 initial conviction for this paragraph (2) to apply.

9 (Source: P.A. 91-238, eff. 1-1-00; 91-404, eff. 1-1-00; 92-16,  
10 eff. 6-28-01.)

11 Section 15. The Methamphetamine Precursor Control Act is  
12 amended by changing Sections 10, 25, 40, 45, and 55 and by  
13 adding Sections 36, 37, 38, 39, and 39.5 as follows:

14 (720 ILCS 648/10)

15 Sec. 10. Definitions. In this Act:

16 "Administer" or "administration" has the meaning provided  
17 in Section 102 of the Illinois Controlled Substances Act.

18 "Agent" has the meaning provided in Section 102 of the  
19 Illinois Controlled Substances Act.

20 "Authorized representative" means an employee or agent of a  
21 qualified outside entity who has been authorized in writing by  
22 his or her agency or office to receive confidential information  
23 from the database associated with the Williamson County Pilot  
24 Program.

1       "Central Repository" means the entity chosen by the  
2 Williamson County Pilot Program Authority to handle electronic  
3 transaction records as described in Sections 36, 37, 38, 39,  
4 and 39.5 of this Act.

5       "Convenience package" means any package that contains 360  
6 milligrams or less of ephedrine or pseudoephedrine, their salts  
7 or optical isomers, or salts of optical isomers in liquid or  
8 liquid-filled capsule form.

9       "Covered pharmacy" means any pharmacy that distributes any  
10 amount of targeted methamphetamine precursor and that is  
11 physically located in any of the following Illinois counties:  
12 Franklin, Jackson, Johnson, Saline, Union, or Williamson.

13       "Deliver" has the meaning provided in Section 102 of the  
14 Illinois Controlled Substances Act.

15       "Dispense" has the meaning provided in Section 102 of the  
16 Illinois Controlled Substances Act.

17       "Distribute" has the meaning provided in Section 102 of the  
18 Illinois Controlled Substances Act.

19       "Electronic transaction record" means, with respect to the  
20 distribution of a targeted methamphetamine precursor by a  
21 pharmacy to a recipient under Section 25 of this Act, an  
22 electronic record that includes: the name and address of the  
23 recipient; date and time of the transaction; brand and product  
24 name and total quantity distributed of ephedrine or  
25 pseudoephedrine, their salts, or optical isomers, or salts of  
26 optical isomers; identification type and identification number

1 of the identification presented by the recipient; and the name  
2 and address of the pharmacy.

3 "Identification information" means identification type and  
4 identification number.

5 "Identification number" means the number that appears on  
6 the identification furnished by the recipient of a targeted  
7 methamphetamine precursor.

8 "Identification type" means the type of identification  
9 furnished by the recipient of a targeted methamphetamine  
10 precursor such as, by way of example only, an Illinois driver's  
11 license or United States passport.

12 "List I chemical" has the meaning provided in 21 U.S.C.  
13 Section 802.

14 "Methamphetamine precursor" has the meaning provided in  
15 Section 10 of the Methamphetamine Control and Community  
16 Protection Act.

17 "Methamphetamine Precursor Violation Alert" means a notice  
18 sent by the Pilot Program Authority to pharmacies, retail  
19 distributors, or law enforcement authorities as described in  
20 subsection (h) of Section 39.5 of this Act.

21 "Non-covered pharmacy" means any pharmacy that is not a  
22 covered pharmacy.

23 "Package" means an item packaged and marked for retail sale  
24 that is not designed to be further broken down or subdivided  
25 for the purpose of retail sale.

26 "Pharmacist" has the meaning provided in Section 102 of the

1 Illinois Controlled Substances Act.

2 "Pharmacy" has the meaning provided in Section 102 of the  
3 Illinois Controlled Substances Act.

4 "Practitioner" has the meaning provided in Section 102 of  
5 the Illinois Controlled Substances Act.

6 "Prescriber" has the meaning provided in Section 102 of the  
7 Illinois Controlled Substances Act.

8 "Prescription" has the meaning provided in Section 102 of  
9 the Illinois Controlled Substances Act.

10 "Qualified outside entity" means a law enforcement agency  
11 or prosecutor's office with authority to identify,  
12 investigate, or prosecute violations of this Act or any other  
13 State or federal law or rule involving a methamphetamine  
14 precursor, methamphetamine, or any other controlled substance,  
15 or a public entity that operates a methamphetamine precursor  
16 tracking program similar in purpose to the Williamson County  
17 Pilot Program.

18 "Readily retrievable" has the meaning provided in 21 C.F.R.  
19 part 1300.

20 "Recipient" means a person purchasing, receiving, or  
21 otherwise acquiring a targeted methamphetamine precursor from  
22 a pharmacy in Illinois, as described in Section 25 of this Act.

23 "Reporting start date" means the date on which covered  
24 pharmacies begin transmitting electronic transaction records  
25 and exempt pharmacies begin sending handwritten logs, as  
26 described in subsection (b) of Section 39 of this Act.

1 "Retail distributor" means a grocery store, general  
2 merchandise store, drug store, other merchandise store, or  
3 other entity or person whose activities as a distributor  
4 relating to drug products containing targeted methamphetamine  
5 precursor are limited exclusively or almost exclusively to  
6 sales for personal use by an ultimate user, both in number of  
7 sales and volume of sales, either directly to walk-in customers  
8 or in face-to-face transactions by direct sales.

9 "Sales employee" means any employee or agent, other than a  
10 pharmacist or pharmacy technician ~~who works exclusively or~~  
11 ~~almost exclusively behind a pharmacy counter,~~ who at any time  
12 (a) operates a cash register at which convenience ~~targeted~~  
13 packages may be sold, (b) stocks shelves containing convenience  
14 ~~targeted~~ packages, or (c) trains or supervises any other  
15 employee or agent who engages in any of the preceding  
16 activities.

17 "Single retail transaction" means a sale by a retail  
18 distributor to a specific customer at a specific time.

19 "Targeted methamphetamine precursor" means any compound,  
20 mixture, or preparation that contains any detectable quantity  
21 of ephedrine or pseudoephedrine, their salts or optical  
22 isomers, or salts of optical isomers.

23 "Targeted package" means a package, including a  
24 convenience package, containing any amount of targeted  
25 methamphetamine precursor.

26 "Ultimate user" has the meaning provided in Section 102 of

1 the Illinois Controlled Substances Act.

2 "Williamson County Pilot Program" or "Pilot Program" means  
3 the program described in Sections 36, 37, 38, 39, and 39.5 of  
4 this Act.

5 "Williamson County Pilot Program Authority" or "Pilot  
6 Program Authority" means the Williamson County Sheriff's  
7 Office or its employees or agents.

8 "Voluntary participant" means any pharmacy that, although  
9 not required by law to do so, participates in the Williamson  
10 County Pilot Program.

11 (Source: P.A. 94-694, eff. 1-15-06; 94-830, eff. 6-5-06.)

12 (720 ILCS 648/25)

13 Sec. 25. Pharmacies.

14 (a) No targeted methamphetamine precursor may be knowingly  
15 distributed through a pharmacy, including a pharmacy located  
16 within, owned by, operated by, or associated with a retail  
17 distributor unless all terms of this Section are satisfied.

18 (b) Any targeted methamphetamine precursor other than a  
19 convenience package or a liquid, including but not limited to  
20 any targeted methamphetamine precursor in liquid-filled  
21 capsules, shall: be packaged in blister packs, with each  
22 blister containing not more than 2 dosage units, or when the  
23 use of blister packs is technically infeasible, in unit dose  
24 packets. Each targeted package shall contain no more than 3,000  
25 milligrams of ephedrine or pseudoephedrine, their salts or

1 optical isomers, or salts of optical isomers.

2 (c) The targeted methamphetamine precursor shall be stored  
3 behind the pharmacy counter and distributed by a pharmacist or  
4 pharmacy technician licensed under the Pharmacy Practice Act of  
5 1987.

6 (d) Any retail distributor operating a pharmacy, and any  
7 pharmacist or pharmacy technician involved in the transaction  
8 or transactions, shall ensure that any person purchasing,  
9 receiving, or otherwise acquiring the targeted methamphetamine  
10 precursor complies with subsection (a) of Section 20 of this  
11 Act.

12 (e) Any retail distributor operating a pharmacy, and any  
13 pharmacist or pharmacy technician involved in the transaction  
14 or transactions, shall verify that:

15 (1) The person purchasing, receiving, or otherwise  
16 acquiring the targeted methamphetamine precursor is 18  
17 years of age or older and resembles the photograph of the  
18 person on the government-issued identification presented  
19 by the person; and

20 (2) The name entered into the log referred to in  
21 subsection (a) of Section 20 of this Act corresponds to the  
22 name on the government-issued identification presented by  
23 the person.

24 (f) The logs referred to in subsection (a) of Section 20 of  
25 this Act shall be kept confidential, maintained for not less  
26 than 2 years, and made available for inspection and copying by



1 any law enforcement officer upon request of that officer. These  
2 logs may be kept in an electronic format if they include all  
3 the information specified in subsection (a) of Section 20 of  
4 this Act in a manner that is readily retrievable and  
5 reproducible in hard-copy format. Pharmacies covered by the  
6 Williamson County Pilot Program described in Sections 36, 37,  
7 38, 39, and 39.5 of this Act are required to transmit  
8 electronic transaction records or handwritten logs to the Pilot  
9 Program Authority in the manner described in those Sections.

10 (g) No retail distributor operating a pharmacy, and no  
11 pharmacist or pharmacy technician, shall knowingly distribute  
12 any targeted methamphetamine precursor to any person under 18  
13 years of age.

14 (h) No retail distributor operating a pharmacy, and no  
15 pharmacist or pharmacy technician, shall knowingly distribute  
16 to a single person more than 2 targeted packages in a single  
17 retail transaction.

18 (i) No retail distributor operating a pharmacy, and no  
19 pharmacist or pharmacy technician, shall knowingly distribute  
20 to a single person in any 30-day period products containing  
21 more than a total of 7,500 milligrams of ephedrine or  
22 pseudoephedrine, their salts or optical isomers, or salts of  
23 optical isomers.

24 (j) A pharmacist or pharmacy technician may distribute a  
25 targeted methamphetamine precursor to a person who is without a  
26 form of identification specified in paragraph (1) of subsection

1 (a) of Section 20 of this Act only if all other provisions of  
2 this Act are followed and either:

3 (1) the person presents a driver's license issued  
4 without a photograph by the State of Illinois pursuant to  
5 the Illinois Administrative Code, Title 92, Section  
6 1030.90(b)(1) or 1030.90(b)(2); or

7 (2) the person is known to the pharmacist or pharmacy  
8 technician, the person presents some form of  
9 identification, and the pharmacist or pharmacy technician  
10 reasonably believes that the targeted methamphetamine  
11 precursor will be used for a legitimate medical purpose and  
12 not to manufacture methamphetamine.

13 (k) When a pharmacist or pharmacy technician distributes a  
14 targeted methamphetamine precursor to a person according to the  
15 procedures set forth in this Act, and the pharmacist or  
16 pharmacy technician does not have access to a working cash  
17 register at the pharmacy counter, the pharmacist or pharmacy  
18 technician may instruct the person to pay for the targeted  
19 methamphetamine precursor at a cash register located elsewhere  
20 in the retail establishment, whether that register is operated  
21 by a pharmacist, pharmacy technician, or other employee or  
22 agent of the retail establishment.

23 (Source: P.A. 94-694, eff. 1-15-06; 94-830, eff. 6-5-06.)

24 (720 ILCS 648/36 new)

25 Sec. 36. Williamson County Pilot Program; general

1 provisions.

2 (a) Purposes. The purposes of this Section are: to  
3 establish a pilot program based in Williamson County to track  
4 purchases of targeted methamphetamine precursors at multiple  
5 locations; to identify persons obtaining or distributing  
6 targeted methamphetamine precursors for the likely purpose of  
7 manufacturing methamphetamine; to starve methamphetamine  
8 manufacturers of the methamphetamine precursors they need to  
9 make methamphetamine; to locate and shut down methamphetamine  
10 laboratories; and ultimately to reduce the harm that  
11 methamphetamine manufacturing and manufacturers are inflicting  
12 on individuals, families, communities, first responders, the  
13 economy, and the environment in Illinois and beyond. In  
14 authorizing this pilot program, the General Assembly  
15 recognizes that, although this Act has significantly reduced  
16 the number of methamphetamine laboratories in Illinois, some  
17 persons continue to violate the Act, evade detection, and  
18 support the manufacture of methamphetamine by obtaining  
19 targeted methamphetamine precursor at multiple locations. The  
20 General Assembly further recognizes that putting an end to this  
21 practice and others like it will require an effort to track  
22 purchases of targeted methamphetamine precursor across  
23 multiple locations, and that a pilot program based in  
24 Williamson County will advance this important goal.

25 (b) Structure.

26 (1) There is established a pilot program based in

1 Williamson County, known as the Williamson County Pilot  
2 Program or Pilot Program, to track purchases of targeted  
3 methamphetamine precursor across multiple locations for  
4 the purposes stated in subsection (a) of this Section.

5 (2) The Pilot Program shall be operated by the  
6 Williamson County Sheriff's Office, also known as the  
7 Williamson County Pilot Program Authority or the Pilot  
8 Program Authority, in accordance with the provisions of  
9 Sections 36, 37, 38, 39, and 39.5 of this Act.

10 (3) The Pilot Program Authority shall designate a  
11 Central Repository for the collection of required  
12 information, and the Central Repository shall operate  
13 according to the provisions of Sections 36, 37, 38, 39, and  
14 39.5 of this Act.

15 (4) Every covered pharmacy shall participate in the  
16 Pilot Program, and any non-covered pharmacy may  
17 participate on a voluntary basis and be known as a  
18 voluntary participant.

19 (c) Transmission of electronic transaction records. Except  
20 as provided in Section 39:

21 (1) Each time a covered pharmacy distributes a targeted  
22 methamphetamine precursor to a recipient under Section 25  
23 of this Act, the covered pharmacy shall transmit an  
24 electronic transaction record to the Central Repository.

25 (2) Each covered pharmacy shall elect to transmit  
26 electronic transaction records either through the secure

1 website described in Section 37 of this Act or through  
2 weekly electronic transfers as described in Section 38 of  
3 this Act.

4 (d) Operation and Timeline for implementation.

5 (1) Except as stated in this subsection, this  
6 amendatory Act of the 95th General Assembly shall be  
7 operational upon becoming law.

8 (2) Covered pharmacies are not required to transmit any  
9 electronic transaction records and exempt pharmacies are  
10 not required to send any handwritten logs to the Central  
11 Repository until the reporting start date set by the Pilot  
12 Program Authority.

13 (3) The Pilot Program Authority shall announce the  
14 "reporting start date" within 90 days of the date this  
15 legislation is signed into law.

16 (4) The reporting start date shall be no sooner than 90  
17 days after the date on which the Pilot Program Authority  
18 announces the reporting start date.

19 (5) Starting on the reporting start date, and  
20 continuing for a period of one year thereafter, covered  
21 pharmacies shall transmit electronic transaction records  
22 as described in Sections 37 and 38 of this Act, and exempt  
23 pharmacies shall send handwritten logs as described in  
24 Section 39 of this Act.

25 (6) Nothing in this Act shall preclude covered  
26 pharmacies and exempt pharmacies from voluntarily

1 participating in the Pilot Program before the start date or  
2 continuing to participate in the Pilot Program after one  
3 year after the reporting start date.

4 (e) Funding. Funding for the Pilot Program shall be  
5 provided by the Williamson County Pilot Program Authority,  
6 drawing upon federal grant money and other available sources.  
7 If funding is delayed, curtailed, or otherwise unavailable, the  
8 Pilot Program Authority may delay implementation of the Pilot  
9 Program, reduce the number of counties covered by the Pilot  
10 Program, or end the Pilot Program early. If any such change  
11 becomes necessary, the Pilot Program Authority shall inform  
12 every covered pharmacy in writing.

13 (f) Training. The Pilot Program Authority shall provide,  
14 free of charge, training and assistance to any pharmacy playing  
15 any role in the Pilot Program.

16 (g) Relationship between the Williamson County Pilot  
17 Program and other laws and rules. Nothing in Sections 36, 37,  
18 38, 39, and 39.5 of this Act shall supersede, nullify, or  
19 diminish the force of any requirement stated in any other  
20 Section of this Act or in any other State or federal law or  
21 rule.

22 (720 ILCS 648/37 new)

23 Sec. 37. Williamson County Pilot Program; secure website.

24 (a) Transmission of electronic transaction records through  
25 a secure website; in general.

1           (1) The Pilot Program Authority shall establish a  
2           secure website for the transmission of electronic  
3           transaction records and electronic signatures and make it  
4           available free of charge to any covered pharmacy that  
5           elects to use it.

6           (2) The secure website shall enable any covered  
7           pharmacy to transmit to the Central Repository an  
8           electronic transaction record and an electronic signature  
9           each time the pharmacy distributes a targeted  
10           methamphetamine precursor to a recipient under Section 25  
11           of this Act.

12           (3) If the secure website becomes unavailable to a  
13           covered pharmacy, the covered pharmacy may, during the  
14           period in which the secure website is not available,  
15           continue to distribute targeted methamphetamine precursor  
16           without using the secure website if, during this period,  
17           the covered pharmacy maintains and transmits handwritten  
18           logs as described in subsection (b) of Section 39 of this  
19           Act.

20           (b) Assistance to covered pharmacies using the secure  
21           website.

22           (1) The purpose of this subsection is to ensure that  
23           participation in the Pilot Program does not impose  
24           substantial costs on covered pharmacies that elect to  
25           transmit electronic transaction records to the Central  
26           Repository by means of the secure website.

1           (2) If a covered pharmacy that elects to transmit  
2           electronic transaction records by means of the secure  
3           website does not have computer hardware or software or  
4           related equipment sufficient to make use of the secure  
5           website, then the covered pharmacy may obtain and install  
6           such hardware or software or related equipment at its own  
7           cost, or it may request assistance from the Pilot Program  
8           Authority, or some combination of the 2.

9           (3) If a covered pharmacy requests such assistance,  
10           then the Pilot Program Authority shall, free of charge,  
11           provide and install any computer hardware or software or  
12           related equipment needed.

13           (4) Nothing in this subsection shall preclude the Pilot  
14           Program Authority from providing additional or other  
15           assistance to any pharmacy or retail distributor.

16           (c) Any covered pharmacy that elects to transmit electronic  
17           transaction records by means of the secure website described in  
18           this Section may use the secure website as its exclusive means  
19           of complying with subsections (d) and (f) of Section 25 of this  
20           Act, provided that, along with each electronic transaction  
21           record, the pharmacy also transmits an electronically-captured  
22           signature of the recipient of the targeted methamphetamine  
23           precursor. To facilitate this option, the Pilot Program shall  
24           do the following:

25           (1) The Pilot Program Authority shall provide to any  
26           covered pharmacy that requests it an electronic signature



1 pad or other means of electronic signature capture.

2 (2) The Pilot Program Authority shall provide the  
3 covered pharmacy with an official letter indicating that:

4 (A) The covered pharmacy in question is  
5 participating in the Williamson County Pilot Program  
6 for a specified period of time.

7 (B) During the specified period of time, the Pilot  
8 Program Authority has assumed responsibility for  
9 maintaining the logs described in subsection (f) of  
10 Section 25 of this Act.

11 (C) Any law enforcement officer seeking to inspect  
12 or copy the covered pharmacy's logs should direct the  
13 request to the Pilot Program Authority through means  
14 described in the letter.

15 (720 ILCS 648/38 new)

16 Sec. 38. Williamson County Pilot Program; weekly  
17 electronic transfer.

18 (a) Weekly electronic transfer; in general.

19 (1) Any covered pharmacy may elect not to use the  
20 secure website but instead to transmit electronic  
21 transaction records by means of weekly electronic  
22 transfers as described in this Section.

23 (2) Any covered pharmacy electing to transmit  
24 electronic transaction records by means of weekly  
25 electronic transfers shall transmit the records by means of

1 a computer diskette, a magnetic tape, or an electronic  
2 device compatible with the receiving device of the Central  
3 Repository.

4 (b) Weekly electronic transfer; timing.

5 (1) Any covered pharmacy electing to transmit  
6 electronic transaction records by means of weekly  
7 electronic transfers shall select a standard weeklong  
8 reporting period such as, by way of example only, the 7-day  
9 period that begins immediately after midnight Monday  
10 morning and lasts until immediately before midnight the  
11 next Sunday night.

12 (2) Electronic transaction records for transactions  
13 occurring during the standard weeklong reporting period  
14 selected by the pharmacy shall be transmitted to the  
15 Central Repository no later than 24 hours after each  
16 standard weeklong reporting period ends.

17 (3) Electronic transaction records may be delivered to  
18 the Central Repository in person, by messenger, through the  
19 United States Postal Service, over the Internet, or by  
20 other reasonably reliable and prompt means.

21 (4) Although electronic transaction records shall be  
22 transmitted to the Central Repository no later than one day  
23 after the end of a weeklong reporting period, it is not  
24 required that the electronic transaction records be  
25 received by that deadline.

26 (c) Weekly electronic transfer; form of data. Each

1 electronic transaction record transmitted shall contain the  
2 following information in the form described:

3 (1) The recipient's (A) first name, (B) last name, (C)  
4 street address, and (D) zip code, in the 4 separate data  
5 fields listed (A) through (D).

6 (2) The (A) date and (B) time of the transaction, in  
7 the 2 separate data fields listed (A) and (B).

8 (3) One of the following:

9 (A) The (1) brand and product name and (2) total  
10 quantity in milligrams distributed of ephedrine or  
11 pseudoephedrine, their salts, or optical isomers, or  
12 salts of optical isomers, in the 2 separate data fields  
13 listed (1) and (2);

14 (B) The National Drug Code (NDC) number  
15 corresponding to the product distributed, from which  
16 may be determined the brand and product name and total  
17 quantity distributed of ephedrine or pseudoephedrine,  
18 their salts, or optical isomers, or salts of optical  
19 isomers; or

20 (C) A company-specific code, akin to the National  
21 Drug Code, from which may be determined the brand and  
22 product name and total quantity distributed of  
23 ephedrine or pseudoephedrine, their salts, or optical  
24 isomers, or salts of optical isomers, along with  
25 information sufficient to translate any  
26 company-specific codes into the brand and product name

1           and total quantity distributed of ephedrine or  
2           pseudoephedrine, their salts, or optical isomers, or  
3           salts of optical isomers.

4           (4) One of the following:

5                 (A) The identification type presented by the  
6                 recipient; or

7                 (B) A code for the identification type presented by  
8                 the recipient, along with information sufficient to  
9                 translate any such code into the actual identification  
10                type presented by the recipient.

11           (5) The identification number presented by the  
12           recipient.

13           (6) One of the following:

14                 (A) The (1) name, (2) street address, and (3) zip  
15                 code of the covered pharmacy, in 3 separate data fields  
16                 (1) through (3);

17                 (B) The Drug Enforcement Administration (DEA)  
18                 number of the individual covered pharmacy, from which  
19                 may be determined the name, street address, and zip  
20                 code of the covered pharmacy; or

21                 (C) A company-specific code, akin to the Drug  
22                 Enforcement Administration number, from which may be  
23                 determined the name, street address, and zip code of  
24                 the covered pharmacy, along with information  
25                 sufficient to translate any company-specific codes  
26                 into the name, street address, and zip code of the



1           (B) Verifies that the covered pharmacy has  
2           complied with Section 25 of this Act by maintaining  
3           handwritten rather than electronic logs during the  
4           60-day period preceding the date the written request is  
5           transmitted;

6           (C) Verifies that the covered pharmacy has not sold  
7           more than 20 targeted packages in any 7-day period  
8           during the 60-day period preceding the date the written  
9           request is transmitted; and

10           (D) Sends the covered pharmacy a letter stating  
11           that the covered pharmacy is exempt from the  
12           requirement that it transmit electronic transaction  
13           records to the Central Repository.

14           (b) Obligations of an exempt pharmacy.

15           (1) A pharmacy that is exempt from the requirement that  
16           it transmit electronic transaction records to the Central  
17           Repository shall instead transmit copies, and retain the  
18           originals, of handwritten logs.

19           (2) An exempt covered pharmacy shall transmit copies of  
20           handwritten logs to the Central Repository in person, by  
21           facsimile, through the United States Postal Service, or by  
22           other reasonably reliable and prompt means.

23           (3) An exempt covered pharmacy shall transmit copies of  
24           handwritten logs on a weekly basis as described in  
25           subsection (b) of Section 38 of this Act.

1 (720 ILCS 648/39.5 new)

2 Sec. 39.5. Williamson County Pilot Program;  
3 confidentiality of records.

4 (a) The Pilot Program Authority shall delete each  
5 electronic transaction record and handwritten log entry 24  
6 months after the date of the transaction it describes.

7 (b) The Pilot Program Authority and Central Repository  
8 shall carry out a program to protect the confidentiality of  
9 electronic transaction records and handwritten log entries  
10 transmitted pursuant to Sections 36, 37, 38, and 39 of this  
11 Act. The Pilot Program Authority and Central Repository shall  
12 ensure that this information remains completely confidential  
13 except as specifically provided in subsections (c) through (i)  
14 of this Section. Except as provided in subsections (c) through  
15 (i) of this Section, this information is strictly prohibited  
16 from disclosure.

17 (c) Any employee or agent of the Central Repository may  
18 have access to electronic transaction records and handwritten  
19 log entries solely for the purpose of receiving, processing,  
20 storing or analyzing this information.

21 (d) Any employee or agent of the Pilot Program Authority  
22 may have access to electronic transaction records or  
23 handwritten log entries solely for the purpose of identifying,  
24 investigating, or prosecuting violations of this Act or any  
25 other State or federal law or rule involving a methamphetamine  
26 precursor, methamphetamine, or any other controlled substance.

1       (e) The Pilot Program Authority may release electronic  
2 transaction records or handwritten log entries to the  
3 authorized representative of a qualified outside entity only if  
4 all of the following conditions are satisfied:

5           (1) The Pilot Program Authority verifies that the  
6 entity receiving electronic transaction records or  
7 handwritten log entries is a qualified outside entity as  
8 defined in this Act.

9           (2) The Pilot Program Authority verifies that the  
10 person receiving electronic transaction records or  
11 handwritten log entries is an authorized representative,  
12 as defined in this Act, of the qualified outside entity.

13           (3) The qualified outside entity agrees in writing, or  
14 has previously agreed in writing, that it will use  
15 electronic transaction records and handwritten log entries  
16 solely for the purpose of identifying, investigating, or  
17 prosecuting violations of this Act or any other State or  
18 federal law or rule involving a methamphetamine precursor,  
19 methamphetamine, or any other controlled substance.

20           (4) The qualified outside entity does not have a  
21 history known to the Pilot Program Authority of violating  
22 this agreement or similar agreements or of breaching the  
23 confidentiality of sensitive information.

24       (f) The Pilot Program Authority may release to a particular  
25 covered pharmacy or voluntary participant any electronic  
26 transaction records or handwritten log entries previously



1 submitted by that particular covered pharmacy or voluntary  
2 participant.

3 (g) The Pilot Program Authority may release to a particular  
4 recipient any electronic transaction records clearly relating  
5 to that recipient, upon sufficient proof of identity.

6 (h) The Pilot Program Authority may distribute  
7 Methamphetamine Precursor Violation Alerts only if all of the  
8 following conditions are satisfied:

9 (1) The Pilot Program Authority has reason to believe  
10 that one or more recipients have violated or are violating  
11 this Act or any other State or federal law or rule  
12 involving a methamphetamine precursor, methamphetamine, or  
13 any other controlled substance.

14 (2) Based on this information, the Pilot Program  
15 Authority distributes a Methamphetamine Precursor  
16 Violation Alert that may contain any of the following  
17 confidential information:

18 (A) With respect to any recipient whom it is  
19 believed has violated, has attempted to violate, or is  
20 violating this Act or any other State or federal law or  
21 rule involving a methamphetamine precursor,  
22 methamphetamine, or any other controlled substance:

23 (i) Any name he or she has used to purchase or  
24 attempt to purchase methamphetamine precursor;

25 (ii) Any address he or she has listed when  
26 purchasing or attempting to purchase any targeted

1           methamphetamine precursor; and  
2                   (iii) Any identification information he or she  
3           has used to purchase or attempt to purchase  
4           methamphetamine precursor.

5           (B) With respect to any transaction in which the  
6           recipient is believed to have purchased  
7           methamphetamine precursor:

8                   (i) The date and time of the transaction or  
9           attempt;

10                   (ii) The city or town and state in which the  
11           transaction or attempt occurred; and

12                   (iii) The total quantity received of ephedrine  
13           or pseudoephedrine, their salts, or optical  
14           isomers, or salts of optical isomers.

15           (3) Methamphetamine Precursor Violation Alerts shall  
16           not include, with respect of any transaction in which the  
17           recipient is believed to have purchased or attempted to  
18           purchase methamphetamine precursor:

19                   (A) The name or street address of the pharmacy  
20           where the transaction or attempt took place, other than  
21           the city or town and state where the pharmacy is  
22           located; or

23                   (B) The brand and product name of the item  
24           received.

25           (4) Methamphetamine Precursor Violation Alerts may be  
26           distributed to pharmacies, retail distributors, and law

1 enforcement agencies. When such alerts are distributed to  
2 law enforcement agencies, it shall not be necessary to  
3 follow the procedures described in subsection (d) of this  
4 Section.

5 (5) When distributing Methamphetamine Precursor  
6 Violation Alerts, the Pilot Program Authority shall  
7 instruct those receiving the alerts that they are intended  
8 only for pharmacies, retail distributors, and law  
9 enforcement authorities, and that such alerts should  
10 otherwise be kept confidential.

11 (i) The Pilot Program Authority may release general  
12 statistical information to any person or entity provided that  
13 the statistics do not include any information that identifies  
14 any individual recipient or pharmacy by name, address,  
15 identification number, Drug Enforcement Administration number,  
16 or other means.

17 (720 ILCS 648/40)

18 Sec. 40. Penalties.

19 (a) Violations of subsection (b) of Section 20 of this Act.

20 (1) Any person who knowingly purchases, receives, or  
21 otherwise acquires, within any 30-day period, products  
22 containing more than a total of 7,500 milligrams of  
23 ephedrine or pseudoephedrine, their salts or optical  
24 isomers, or salts of optical isomers in violation of  
25 subsection (b) of Section 20 of this Act is subject to the

1       following penalties:

2               (A) More than 7,500 milligrams but less than 15,000  
3               milligrams, Class B misdemeanor;

4               (B) 15,000 or more but less than 22,500 milligrams,  
5               Class A misdemeanor;

6               (C) 22,500 or more but less than 30,000 milligrams,  
7               Class 4 felony;

8               (D) 30,000 or more but less than 37,500 milligrams,  
9               Class 3 felony;

10              (E) 37,500 or more but less than 45,000 milligrams,  
11              Class 2 felony;

12              (F) 45,000 or more milligrams, Class 1 felony.

13              (2) Any person who knowingly purchases, receives, or  
14              otherwise acquires, within any 30-day period, products  
15              containing more than a total of 7,500 milligrams of  
16              ephedrine or pseudoephedrine, their salts or optical  
17              isomers, or salts of optical isomers in violation of  
18              subsection (b) of Section 20 of this Act, and who has  
19              previously been convicted of any methamphetamine-related  
20              offense under any State or federal law, is subject to the  
21              following penalties:

22              (A) More than 7,500 milligrams but less than 15,000  
23              milligrams, Class A misdemeanor;

24              (B) 15,000 or more but less than 22,500 milligrams,  
25              Class 4 felony;

26              (C) 22,500 or more but less than 30,000 milligrams,

1           Class 3 felony;

2                   (D) 30,000 or more but less than 37,500 milligrams,

3           Class 2 felony;

4                   (E) 37,500 or more milligrams, Class 1 felony.

5           (3) Any person who knowingly purchases, receives, or  
6 otherwise acquires, within any 30-day period, products  
7 containing more than a total of 7,500 milligrams of  
8 ephedrine or pseudoephedrine, their salts or optical  
9 isomers, or salts of optical isomers in violation of  
10 subsection (b) of Section 20 of this Act, and who has  
11 previously been convicted 2 or more times of any  
12 methamphetamine-related offense under State or federal  
13 law, is subject to the following penalties:

14                   (A) More than 7,500 milligrams but less than 15,000  
15 milligrams, Class 4 felony;

16                   (B) 15,000 or more but less than 22,500 milligrams,  
17 Class 3 felony;

18                   (C) 22,500 or more but less than 30,000 milligrams,  
19 Class 2 felony;

20                   (D) 30,000 or more milligrams, Class 1 felony.

21           (b) Violations of Section 15, 20, 25, 30, or 35 of this  
22 Act, other than violations of subsection (b) of Section 20 of  
23 this Act.

24           (1) ~~(a)~~ Any pharmacy or retail distributor that  
25 violates Section 15, 20, 25, 30, or 35 of this Act, other  
26 than subsection (b) of Section 20 of this Act, ~~this Act is~~

1 guilty of a petty offense and subject to a fine of \$500 for  
2 a first offense; and \$1,000 for a second offense occurring  
3 at the same retail location as and within 3 years of the  
4 prior offense. A pharmacy or retail distributor that  
5 violates this Act is guilty of a business offense and  
6 subject to a fine of \$5,000 for a third or subsequent  
7 offense occurring at the same retail location as and within  
8 3 years of the prior offenses.

9 (2) ~~(b)~~ An employee or agent of a pharmacy or retail  
10 distributor who violates Section 15, 20, 25, 30, or 35 of  
11 this Act, other than subsection (b) of Section 20 of this  
12 Act, ~~this Act~~ is guilty of a Class A misdemeanor for a  
13 first offense, a Class 4 felony for a second offense, and a  
14 Class 1 felony for a third or subsequent offense.

15 (3) ~~(e)~~ Any other person who violates Section 15, 20,  
16 25, 30, or 35 of this Act, other than subsection (b) of  
17 Section 20 of this Act, ~~this Act~~ is guilty of a Class B  
18 misdemeanor for a first offense, a Class A misdemeanor for  
19 a second offense, and a Class 4 felony for a third or  
20 subsequent offense.

21 (c) Any pharmacy or retail distributor that violates  
22 Section 36, 37, 38, 39, or 39.5 of this Act is guilty of a petty  
23 offense and subject to a fine of \$100 for a first offense, \$250  
24 for a second offense, or \$500 for a third or subsequent  
25 offense.

26 (d) Any person that violates Section 39.5 of this Act is

1 guilty of a Class B misdemeanor for a first offense, a Class A  
2 misdemeanor for a second offense, and a Class 4 felony for a  
3 third offense.

4 (Source: P.A. 94-694, eff. 1-15-06.)

5 (720 ILCS 648/45)

6 Sec. 45. Immunity from civil liability. In the event that  
7 any agent or employee of a pharmacy or retail distributor  
8 reports to any law enforcement officer or agency any suspicious  
9 activity concerning a targeted methamphetamine precursor or  
10 other methamphetamine ingredient or ingredients, or  
11 participates in the Williamson County Pilot Program as provided  
12 in Sections 36, 37, 38, 39, and 39.5 of this Act, the agent or  
13 employee and the pharmacy or retail distributor itself are  
14 immune from civil liability based on allegations of defamation,  
15 libel, slander, false arrest, or malicious prosecution, or  
16 similar allegations, except in cases of willful or wanton  
17 misconduct.

18 (Source: P.A. 94-694, eff. 1-15-06.)

19 (720 ILCS 648/55)

20 Sec. 55. Preemption and home rule powers.

21 (a) Except as provided in subsection (b) of this Section  
22 and in Sections 36, 37, 38, 39, and 39.5 of this Act, a county  
23 or municipality, including a home rule unit, may regulate the  
24 sale of targeted methamphetamine precursor and targeted

1 packages in a manner that is not more or less restrictive than  
2 the regulation by the State under this Act. This Section is a  
3 limitation under subsection (i) of Section 6 of Article VII of  
4 the Illinois Constitution on the concurrent exercise by home  
5 rule units of the powers and functions exercised by the State.

6 (b) Any regulation of the sale of targeted methamphetamine  
7 precursor and targeted packages by a home rule unit that took  
8 effect on or before May 1, 2004, is exempt from the provisions  
9 of subsection (a) of this Section.

10 (Source: P.A. 94-694, eff. 1-15-06.)

11 Section 20. The Unified Code of Corrections is amended by  
12 changing Sections 3-3-7, 3-6-3, and 5-8A-6 and by adding  
13 Section 3-19-15 as follows:

14 (730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

15 Sec. 3-3-7. Conditions of Parole or Mandatory Supervised  
16 Release.

17 (a) The conditions of parole or mandatory supervised  
18 release shall be such as the Prisoner Review Board deems  
19 necessary to assist the subject in leading a law-abiding life.  
20 The conditions of every parole and mandatory supervised release  
21 are that the subject:

22 (1) not violate any criminal statute of any  
23 jurisdiction during the parole or release term;

24 (2) refrain from possessing a firearm or other



1 dangerous weapon;

2 (3) report to an agent of the Department of  
3 Corrections;

4 (4) permit the agent to visit him or her at his or her  
5 home, employment, or elsewhere to the extent necessary for  
6 the agent to discharge his or her duties;

7 (5) attend or reside in a facility established for the  
8 instruction or residence of persons on parole or mandatory  
9 supervised release;

10 (6) secure permission before visiting or writing a  
11 committed person in an Illinois Department of Corrections  
12 facility;

13 (7) report all arrests to an agent of the Department of  
14 Corrections as soon as permitted by the arresting authority  
15 but in no event later than 24 hours after release from  
16 custody;

17 (7.5) if convicted of a sex offense as defined in the  
18 Sex Offender Management Board Act, the individual shall  
19 undergo and successfully complete sex offender treatment  
20 conducted in conformance with the standards developed by  
21 the Sex Offender Management Board Act by a treatment  
22 provider approved by the Board;

23 (7.6) if convicted of a sex offense as defined in the  
24 Sex Offender Management Board Act, refrain from residing at  
25 the same address or in the same condominium unit or  
26 apartment unit or in the same condominium complex or

1 apartment complex with another person he or she knows or  
2 reasonably should know is a convicted sex offender or has  
3 been placed on supervision for a sex offense; the  
4 provisions of this paragraph do not apply to a person  
5 convicted of a sex offense who is placed in a Department of  
6 Corrections licensed transitional housing facility for sex  
7 offenders, or is in any facility operated or licensed by  
8 the Department of Children and Family Services or by the  
9 Department of Human Services, or is in any licensed medical  
10 facility;

11 (7.7) if convicted for an offense that would qualify  
12 the accused as a sexual predator under the Sex Offender  
13 Registration Act on or after the effective date of this  
14 amendatory Act of the 94th General Assembly, wear an  
15 approved electronic monitoring device as defined in  
16 Section 5-8A-2 for the duration of the person's parole,  
17 mandatory supervised release term, or extended mandatory  
18 supervised release term, ~~provided funding is appropriated~~  
19 ~~by the General Assembly;~~

20 (7.8) if convicted for an offense that would qualify  
21 the accused as a sex offender or sexual predator under the  
22 Sex Offender Registration Act on or after the effective  
23 date of this amendatory Act of the 95th General Assembly,  
24 not possess prescription drugs for erectile dysfunction;

25 (8) obtain permission of an agent of the Department of  
26 Corrections before leaving the State of Illinois;

1           (9) obtain permission of an agent of the Department of  
2           Corrections before changing his or her residence or  
3           employment;

4           (10) consent to a search of his or her person,  
5           property, or residence under his or her control;

6           (11) refrain from the use or possession of narcotics or  
7           other controlled substances in any form, or both, or any  
8           paraphernalia related to those substances and submit to a  
9           urinalysis test as instructed by a parole agent of the  
10          Department of Corrections;

11          (12) not frequent places where controlled substances  
12          are illegally sold, used, distributed, or administered;

13          (13) not knowingly associate with other persons on  
14          parole or mandatory supervised release without prior  
15          written permission of his or her parole agent and not  
16          associate with persons who are members of an organized gang  
17          as that term is defined in the Illinois Streetgang  
18          Terrorism Omnibus Prevention Act;

19          (14) provide true and accurate information, as it  
20          relates to his or her adjustment in the community while on  
21          parole or mandatory supervised release or to his or her  
22          conduct while incarcerated, in response to inquiries by his  
23          or her parole agent or of the Department of Corrections;

24          (15) follow any specific instructions provided by the  
25          parole agent that are consistent with furthering  
26          conditions set and approved by the Prisoner Review Board or

1 by law, exclusive of placement on electronic detention, to  
2 achieve the goals and objectives of his or her parole or  
3 mandatory supervised release or to protect the public.  
4 These instructions by the parole agent may be modified at  
5 any time, as the agent deems appropriate; and

6 (16) if convicted of a sex offense as defined in  
7 subsection (a-5) of Section 3-1-2 of this Code, unless the  
8 offender is a parent or guardian of the person under 18  
9 years of age present in the home and no non-familial minors  
10 are present, not participate in a holiday event involving  
11 children under 18 years of age, such as distributing candy  
12 or other items to children on Halloween, wearing a Santa  
13 Claus costume on or preceding Christmas, being employed as  
14 a department store Santa Claus, or wearing an Easter Bunny  
15 costume on or preceding Easter.

16 (b) The Board may in addition to other conditions require  
17 that the subject:

18 (1) work or pursue a course of study or vocational  
19 training;

20 (2) undergo medical or psychiatric treatment, or  
21 treatment for drug addiction or alcoholism;

22 (3) attend or reside in a facility established for the  
23 instruction or residence of persons on probation or parole;

24 (4) support his dependents;

25 (5) (blank);

26 (6) (blank);

1           (7) comply with the terms and conditions of an order of  
2 protection issued pursuant to the Illinois Domestic  
3 Violence Act of 1986, enacted by the 84th General Assembly,  
4 or an order of protection issued by the court of another  
5 state, tribe, or United States territory; and

6           (8) in addition, if a minor:

7                   (i) reside with his parents or in a foster home;

8                   (ii) attend school;

9                   (iii) attend a non-residential program for youth;

10           or

11                   (iv) contribute to his own support at home or in a  
12 foster home.

13           (b-1) In addition to the conditions set forth in  
14 subsections (a) and (b), persons required to register as sex  
15 offenders pursuant to the Sex Offender Registration Act, upon  
16 release from the custody of the Illinois Department of  
17 Corrections, may be required by the Board to comply with the  
18 following specific conditions of release:

19                   (1) reside only at a Department approved location;

20                   (2) comply with all requirements of the Sex Offender  
21 Registration Act;

22                   (3) notify third parties of the risks that may be  
23 occasioned by his or her criminal record;

24                   (4) obtain the approval of an agent of the Department  
25 of Corrections prior to accepting employment or pursuing a  
26 course of study or vocational training and notify the

1 Department prior to any change in employment, study, or  
2 training;

3 (5) not be employed or participate in any volunteer  
4 activity that involves contact with children, except under  
5 circumstances approved in advance and in writing by an  
6 agent of the Department of Corrections;

7 (6) be electronically monitored for a minimum of 12  
8 months from the date of release as determined by the Board;

9 (7) refrain from entering into a designated geographic  
10 area except upon terms approved in advance by an agent of  
11 the Department of Corrections. The terms may include  
12 consideration of the purpose of the entry, the time of day,  
13 and others accompanying the person;

14 (8) refrain from having any contact, including written  
15 or oral communications, directly or indirectly, personally  
16 or by telephone, letter, or through a third party with  
17 certain specified persons including, but not limited to,  
18 the victim or the victim's family without the prior written  
19 approval of an agent of the Department of Corrections;

20 (9) refrain from all contact, directly or indirectly,  
21 personally, by telephone, letter, or through a third party,  
22 with minor children without prior identification and  
23 approval of an agent of the Department of Corrections;

24 (10) neither possess or have under his or her control  
25 any material that is sexually oriented, sexually  
26 stimulating, or that shows male or female sex organs or any

1 pictures depicting children under 18 years of age nude or  
2 any written or audio material describing sexual  
3 intercourse or that depicts or alludes to sexual activity,  
4 including but not limited to visual, auditory, telephonic,  
5 or electronic media, or any matter obtained through access  
6 to any computer or material linked to computer access use;

7 (11) not patronize any business providing sexually  
8 stimulating or sexually oriented entertainment nor utilize  
9 "900" or adult telephone numbers;

10 (12) not reside near, visit, or be in or about parks,  
11 schools, day care centers, swimming pools, beaches,  
12 theaters, or any other places where minor children  
13 congregate without advance approval of an agent of the  
14 Department of Corrections and immediately report any  
15 incidental contact with minor children to the Department;

16 (13) not possess or have under his or her control  
17 certain specified items of contraband related to the  
18 incidence of sexually offending as determined by an agent  
19 of the Department of Corrections;

20 (14) may be required to provide a written daily log of  
21 activities if directed by an agent of the Department of  
22 Corrections;

23 (15) comply with all other special conditions that the  
24 Department may impose that restrict the person from  
25 high-risk situations and limit access to potential  
26 victims; -

1           (16) take an annual polygraph exam;

2           (17) maintain a log of his or her travel; or

3           (18) obtain prior approval of his or her parole officer  
4           before driving alone in a motor vehicle.

5           (c) The conditions under which the parole or mandatory  
6 supervised release is to be served shall be communicated to the  
7 person in writing prior to his release, and he shall sign the  
8 same before release. A signed copy of these conditions,  
9 including a copy of an order of protection where one had been  
10 issued by the criminal court, shall be retained by the person  
11 and another copy forwarded to the officer in charge of his  
12 supervision.

13           (d) After a hearing under Section 3-3-9, the Prisoner  
14 Review Board may modify or enlarge the conditions of parole or  
15 mandatory supervised release.

16           (e) The Department shall inform all offenders committed to  
17 the Department of the optional services available to them upon  
18 release and shall assist inmates in availing themselves of such  
19 optional services upon their release on a voluntary basis.

20           (Source: P.A. 93-616, eff. 1-1-04; 93-865, eff. 1-1-05; 94-159,  
21 eff. 7-11-05; 94-161, eff. 7-11-05; 94-988, eff. 1-1-07.)

22           (730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)

23           Sec. 3-6-3. Rules and Regulations for Early Release.

24           (a) (1) The Department of Corrections shall prescribe  
25 rules and regulations for the early release on account of



1 good conduct of persons committed to the Department which  
2 shall be subject to review by the Prisoner Review Board.

3 (2) The rules and regulations on early release shall  
4 provide, with respect to offenses listed in clause (i),  
5 (ii), or (iii) of this paragraph (2) committed on or after  
6 June 19, 1998 or with respect to the offense listed in  
7 clause (iv) of this paragraph (2) committed on or after  
8 June 23, 2005 (the effective date of Public Act 94-71) or  
9 with respect to the offense of being an armed habitual  
10 criminal committed on or after August 2, 2005 (the  
11 effective date of Public Act 94-398), the following:

12 (i) that a prisoner who is serving a term of  
13 imprisonment for first degree murder or for the offense  
14 of terrorism shall receive no good conduct credit and  
15 shall serve the entire sentence imposed by the court;

16 (ii) that a prisoner serving a sentence for attempt  
17 to commit first degree murder, solicitation of murder,  
18 solicitation of murder for hire, intentional homicide  
19 of an unborn child, predatory criminal sexual assault  
20 of a child, aggravated criminal sexual assault,  
21 criminal sexual assault, aggravated kidnapping,  
22 aggravated battery with a firearm, heinous battery,  
23 being an armed habitual criminal, aggravated battery  
24 of a senior citizen, or aggravated battery of a child  
25 shall receive no more than 4.5 days of good conduct  
26 credit for each month of his or her sentence of

1           imprisonment;

2           (iii) that a prisoner serving a sentence for home  
3           invasion, armed robbery, aggravated vehicular  
4           hijacking, aggravated discharge of a firearm, or armed  
5           violence with a category I weapon or category II  
6           weapon, when the court has made and entered a finding,  
7           pursuant to subsection (c-1) of Section 5-4-1 of this  
8           Code, that the conduct leading to conviction for the  
9           enumerated offense resulted in great bodily harm to a  
10          victim, shall receive no more than 4.5 days of good  
11          conduct credit for each month of his or her sentence of  
12          imprisonment; and

13          (iv) that a prisoner serving a sentence for  
14          aggravated discharge of a firearm, whether or not the  
15          conduct leading to conviction for the offense resulted  
16          in great bodily harm to the victim, shall receive no  
17          more than 4.5 days of good conduct credit for each  
18          month of his or her sentence of imprisonment.

19          (2.1) For all offenses, other than those enumerated in  
20          subdivision (a)(2)(i), (ii), or (iii) committed on or after  
21          June 19, 1998 or subdivision (a)(2)(iv) committed on or  
22          after June 23, 2005 (the effective date of Public Act  
23          94-71), and other than the offense of reckless homicide as  
24          defined in subsection (e) of Section 9-3 of the Criminal  
25          Code of 1961 committed on or after January 1, 1999, or  
26          aggravated driving under the influence of alcohol, other

1 drug or drugs, or intoxicating compound or compounds, or  
2 any combination thereof as defined in subparagraph (F) of  
3 paragraph (1) of subsection (d) of Section 11-501 of the  
4 Illinois Vehicle Code, the rules and regulations shall  
5 provide that a prisoner who is serving a term of  
6 imprisonment shall receive one day of good conduct credit  
7 for each day of his or her sentence of imprisonment or  
8 recommitment under Section 3-3-9. Each day of good conduct  
9 credit shall reduce by one day the prisoner's period of  
10 imprisonment or recommitment under Section 3-3-9.

11 (2.2) A prisoner serving a term of natural life  
12 imprisonment or a prisoner who has been sentenced to death  
13 shall receive no good conduct credit.

14 (2.3) The rules and regulations on early release shall  
15 provide that a prisoner who is serving a sentence for  
16 reckless homicide as defined in subsection (e) of Section  
17 9-3 of the Criminal Code of 1961 committed on or after  
18 January 1, 1999, or aggravated driving under the influence  
19 of alcohol, other drug or drugs, or intoxicating compound  
20 or compounds, or any combination thereof as defined in  
21 subparagraph (F) of paragraph (1) of subsection (d) of  
22 Section 11-501 of the Illinois Vehicle Code, shall receive  
23 no more than 4.5 days of good conduct credit for each month  
24 of his or her sentence of imprisonment.

25 (2.4) The rules and regulations on early release shall  
26 provide with respect to the offenses of aggravated battery

1 with a machine gun or a firearm equipped with any device or  
2 attachment designed or used for silencing the report of a  
3 firearm or aggravated discharge of a machine gun or a  
4 firearm equipped with any device or attachment designed or  
5 used for silencing the report of a firearm, committed on or  
6 after July 15, 1999 (the effective date of Public Act  
7 91-121), that a prisoner serving a sentence for any of  
8 these offenses shall receive no more than 4.5 days of good  
9 conduct credit for each month of his or her sentence of  
10 imprisonment.

11 (2.5) The rules and regulations on early release shall  
12 provide that a prisoner who is serving a sentence for  
13 aggravated arson committed on or after July 27, 2001 (the  
14 effective date of Public Act 92-176) shall receive no more  
15 than 4.5 days of good conduct credit for each month of his  
16 or her sentence of imprisonment.

17 (3) The rules and regulations shall also provide that  
18 the Director may award up to 180 days additional good  
19 conduct credit for meritorious service in specific  
20 instances as the Director deems proper; except that no more  
21 than 90 days of good conduct credit for meritorious service  
22 shall be awarded to any prisoner who is serving a sentence  
23 for conviction of first degree murder, reckless homicide  
24 while under the influence of alcohol or any other drug, or  
25 aggravated driving under the influence of alcohol, other  
26 drug or drugs, or intoxicating compound or compounds, or

1 any combination thereof as defined in subparagraph (F) of  
2 paragraph (1) of subsection (d) of Section 11-501 of the  
3 Illinois Vehicle Code, aggravated kidnapping, kidnapping,  
4 predatory criminal sexual assault of a child, aggravated  
5 criminal sexual assault, criminal sexual assault, deviate  
6 sexual assault, aggravated criminal sexual abuse,  
7 aggravated indecent liberties with a child, indecent  
8 liberties with a child, child pornography, heinous  
9 battery, aggravated battery of a spouse, aggravated  
10 battery of a spouse with a firearm, stalking, aggravated  
11 stalking, aggravated battery of a child, endangering the  
12 life or health of a child, cruelty to a child, or narcotic  
13 racketeering. Notwithstanding the foregoing, good conduct  
14 credit for meritorious service shall not be awarded on a  
15 sentence of imprisonment imposed for conviction of: (i) one  
16 of the offenses enumerated in subdivision (a)(2)(i), (ii),  
17 or (iii) when the offense is committed on or after June 19,  
18 1998 or subdivision (a)(2)(iv) when the offense is  
19 committed on or after June 23, 2005 (the effective date of  
20 Public Act 94-71), (ii) reckless homicide as defined in  
21 subsection (e) of Section 9-3 of the Criminal Code of 1961  
22 when the offense is committed on or after January 1, 1999,  
23 or aggravated driving under the influence of alcohol, other  
24 drug or drugs, or intoxicating compound or compounds, or  
25 any combination thereof as defined in subparagraph (F) of  
26 paragraph (1) of subsection (d) of Section 11-501 of the

1 Illinois Vehicle Code, (iii) one of the offenses enumerated  
2 in subdivision (a)(2.4) when the offense is committed on or  
3 after July 15, 1999 (the effective date of Public Act  
4 91-121), or (iv) aggravated arson when the offense is  
5 committed on or after July 27, 2001 (the effective date of  
6 Public Act 92-176).

7 (4) The rules and regulations shall also provide that  
8 the good conduct credit accumulated and retained under  
9 paragraph (2.1) of subsection (a) of this Section by any  
10 inmate during specific periods of time in which such inmate  
11 is engaged full-time in substance abuse programs,  
12 correctional industry assignments, or educational programs  
13 provided by the Department under this paragraph (4) and  
14 satisfactorily completes the assigned program as  
15 determined by the standards of the Department, shall be  
16 multiplied by a factor of 1.25 for program participation  
17 before August 11, 1993 and 1.50 for program participation  
18 on or after that date. However, no inmate shall be eligible  
19 for the additional good conduct credit under this paragraph  
20 (4) or (4.1) of this subsection (a) while assigned to a  
21 boot camp or electronic detention, or if convicted of an  
22 offense enumerated in subdivision (a)(2)(i), (ii), or  
23 (iii) of this Section that is committed on or after June  
24 19, 1998 or subdivision (a)(2)(iv) of this Section that is  
25 committed on or after June 23, 2005 (the effective date of  
26 Public Act 94-71), or if convicted of reckless homicide as

1 defined in subsection (e) of Section 9-3 of the Criminal  
2 Code of 1961 if the offense is committed on or after  
3 January 1, 1999, or aggravated driving under the influence  
4 of alcohol, other drug or drugs, or intoxicating compound  
5 or compounds, or any combination thereof as defined in  
6 subparagraph (F) of paragraph (1) of subsection (d) of  
7 Section 11-501 of the Illinois Vehicle Code, or if  
8 convicted of an offense enumerated in paragraph (a)(2.4) of  
9 this Section that is committed on or after July 15, 1999  
10 (the effective date of Public Act 91-121), or first degree  
11 murder, a Class X felony, criminal sexual assault, felony  
12 criminal sexual abuse, aggravated criminal sexual abuse,  
13 aggravated battery with a firearm, or any predecessor or  
14 successor offenses with the same or substantially the same  
15 elements, or any inchoate offenses relating to the  
16 foregoing offenses. No inmate shall be eligible for the  
17 additional good conduct credit under this paragraph (4) who  
18 (i) has previously received increased good conduct credit  
19 under this paragraph (4) and has subsequently been  
20 convicted of a felony, or (ii) has previously served more  
21 than one prior sentence of imprisonment for a felony in an  
22 adult correctional facility.

23 Educational, vocational, substance abuse and  
24 correctional industry programs under which good conduct  
25 credit may be increased under this paragraph (4) and  
26 paragraph (4.1) of this subsection (a) shall be evaluated

1 by the Department on the basis of documented standards. The  
2 Department shall report the results of these evaluations to  
3 the Governor and the General Assembly by September 30th of  
4 each year. The reports shall include data relating to the  
5 recidivism rate among program participants.

6 Availability of these programs shall be subject to the  
7 limits of fiscal resources appropriated by the General  
8 Assembly for these purposes. Eligible inmates who are  
9 denied immediate admission shall be placed on a waiting  
10 list under criteria established by the Department. The  
11 inability of any inmate to become engaged in any such  
12 programs by reason of insufficient program resources or for  
13 any other reason established under the rules and  
14 regulations of the Department shall not be deemed a cause  
15 of action under which the Department or any employee or  
16 agent of the Department shall be liable for damages to the  
17 inmate.

18 (4.1) The rules and regulations shall also provide that  
19 an additional 60 days of good conduct credit shall be  
20 awarded to any prisoner who passes the high school level  
21 Test of General Educational Development (GED) while the  
22 prisoner is incarcerated. The good conduct credit awarded  
23 under this paragraph (4.1) shall be in addition to, and  
24 shall not affect, the award of good conduct under any other  
25 paragraph of this Section, but shall also be pursuant to  
26 the guidelines and restrictions set forth in paragraph (4)



1 of subsection (a) of this Section. The good conduct credit  
2 provided for in this paragraph shall be available only to  
3 those prisoners who have not previously earned a high  
4 school diploma or a GED. If, after an award of the GED good  
5 conduct credit has been made and the Department determines  
6 that the prisoner was not eligible, then the award shall be  
7 revoked.

8 (4.5) The rules and regulations on early release shall  
9 also provide that when the court's sentencing order  
10 recommends a prisoner for substance abuse treatment and the  
11 crime was committed on or after September 1, 2003 (the  
12 effective date of Public Act 93-354), the prisoner shall  
13 receive no good conduct credit awarded under clause (3) of  
14 this subsection (a) unless he or she participates in and  
15 completes a substance abuse treatment program. The  
16 Director may waive the requirement to participate in or  
17 complete a substance abuse treatment program and award the  
18 good conduct credit in specific instances if the prisoner  
19 is not a good candidate for a substance abuse treatment  
20 program for medical, programming, or operational reasons.  
21 Availability of substance abuse treatment shall be subject  
22 to the limits of fiscal resources appropriated by the  
23 General Assembly for these purposes. If treatment is not  
24 available and the requirement to participate and complete  
25 the treatment has not been waived by the Director, the  
26 prisoner shall be placed on a waiting list under criteria

1 established by the Department. The Director may allow a  
2 prisoner placed on a waiting list to participate in and  
3 complete a substance abuse education class or attend  
4 substance abuse self-help meetings in lieu of a substance  
5 abuse treatment program. A prisoner on a waiting list who  
6 is not placed in a substance abuse program prior to release  
7 may be eligible for a waiver and receive good conduct  
8 credit under clause (3) of this subsection (a) at the  
9 discretion of the Director.

10 (4.6) The rules and regulations on early release shall  
11 also provide that a prisoner who has been convicted of a  
12 sex offense as defined in Section 2 of the Sex Offender  
13 Registration Act shall receive no good conduct credit  
14 unless he or she either has successfully completed or is  
15 participating in sex offender treatment as defined by the  
16 Sex Offender Management Board. However, prisoners who are  
17 waiting to receive such treatment, but who are unable to do  
18 so due solely to the lack of resources on the part of the  
19 Department, may, at the Director's sole discretion, be  
20 awarded good conduct credit at such rate as the Director  
21 shall determine.

22 (5) Whenever the Department is to release any inmate  
23 earlier than it otherwise would because of a grant of good  
24 conduct credit for meritorious service given at any time  
25 during the term, the Department shall give reasonable  
26 advance notice of the impending release to the State's

1 Attorney of the county where the prosecution of the inmate  
2 took place.

3 (b) Whenever a person is or has been committed under  
4 several convictions, with separate sentences, the sentences  
5 shall be construed under Section 5-8-4 in granting and  
6 forfeiting of good time.

7 (c) The Department shall prescribe rules and regulations  
8 for revoking good conduct credit, or suspending or reducing the  
9 rate of accumulation of good conduct credit for specific rule  
10 violations, during imprisonment. These rules and regulations  
11 shall provide that no inmate may be penalized more than one  
12 year of good conduct credit for any one infraction.

13 When the Department seeks to revoke, suspend or reduce the  
14 rate of accumulation of any good conduct credits for an alleged  
15 infraction of its rules, it shall bring charges therefor  
16 against the prisoner sought to be so deprived of good conduct  
17 credits before the Prisoner Review Board as provided in  
18 subparagraph (a)(4) of Section 3-3-2 of this Code, if the  
19 amount of credit at issue exceeds 30 days or when during any 12  
20 month period, the cumulative amount of credit revoked exceeds  
21 30 days except where the infraction is committed or discovered  
22 within 60 days of scheduled release. In those cases, the  
23 Department of Corrections may revoke up to 30 days of good  
24 conduct credit. The Board may subsequently approve the  
25 revocation of additional good conduct credit, if the Department  
26 seeks to revoke good conduct credit in excess of 30 days.

1       However, the Board shall not be empowered to review the  
2       Department's decision with respect to the loss of 30 days of  
3       good conduct credit within any calendar year for any prisoner  
4       or to increase any penalty beyond the length requested by the  
5       Department.

6       The Director of the Department of Corrections, in  
7       appropriate cases, may restore up to 30 days good conduct  
8       credits which have been revoked, suspended or reduced. Any  
9       restoration of good conduct credits in excess of 30 days shall  
10      be subject to review by the Prisoner Review Board. However, the  
11      Board may not restore good conduct credit in excess of the  
12      amount requested by the Director.

13      Nothing contained in this Section shall prohibit the  
14      Prisoner Review Board from ordering, pursuant to Section  
15      3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the  
16      sentence imposed by the court that was not served due to the  
17      accumulation of good conduct credit.

18      (d) If a lawsuit is filed by a prisoner in an Illinois or  
19      federal court against the State, the Department of Corrections,  
20      or the Prisoner Review Board, or against any of their officers  
21      or employees, and the court makes a specific finding that a  
22      pleading, motion, or other paper filed by the prisoner is  
23      frivolous, the Department of Corrections shall conduct a  
24      hearing to revoke up to 180 days of good conduct credit by  
25      bringing charges against the prisoner sought to be deprived of  
26      the good conduct credits before the Prisoner Review Board as

1 provided in subparagraph (a) (8) of Section 3-3-2 of this Code.  
2 If the prisoner has not accumulated 180 days of good conduct  
3 credit at the time of the finding, then the Prisoner Review  
4 Board may revoke all good conduct credit accumulated by the  
5 prisoner.

6 For purposes of this subsection (d):

7 (1) "Frivolous" means that a pleading, motion, or other  
8 filing which purports to be a legal document filed by a  
9 prisoner in his or her lawsuit meets any or all of the  
10 following criteria:

11 (A) it lacks an arguable basis either in law or in  
12 fact;

13 (B) it is being presented for any improper purpose,  
14 such as to harass or to cause unnecessary delay or  
15 needless increase in the cost of litigation;

16 (C) the claims, defenses, and other legal  
17 contentions therein are not warranted by existing law  
18 or by a nonfrivolous argument for the extension,  
19 modification, or reversal of existing law or the  
20 establishment of new law;

21 (D) the allegations and other factual contentions  
22 do not have evidentiary support or, if specifically so  
23 identified, are not likely to have evidentiary support  
24 after a reasonable opportunity for further  
25 investigation or discovery; or

26 (E) the denials of factual contentions are not

1 warranted on the evidence, or if specifically so  
2 identified, are not reasonably based on a lack of  
3 information or belief.

4 (2) "Lawsuit" means a petition for post-conviction  
5 relief under Article 122 of the Code of Criminal Procedure  
6 of 1963, a motion pursuant to Section 116-3 of the Code of  
7 Criminal Procedure of 1963, a habeas corpus action under  
8 Article X of the Code of Civil Procedure or under federal  
9 law (28 U.S.C. 2254), a petition for claim under the Court  
10 of Claims Act or an action under the federal Civil Rights  
11 Act (42 U.S.C. 1983).

12 (e) Nothing in Public Act 90-592 or 90-593 affects the  
13 validity of Public Act 89-404.

14 (Source: P.A. 93-213, eff. 7-18-03; 93-354, eff. 9-1-03; 94-71,  
15 eff. 6-23-05; 94-128, eff. 7-7-05; 94-156, eff. 7-8-05; 94-398,  
16 eff. 8-2-05; 94-491, eff. 8-8-05; 94-744, eff. 5-8-06.)

17 (730 ILCS 5/3-19-15 new)

18 Sec. 3-19-15. Task Force on Transitional Housing for Sex  
19 Offenders.

20 (a) There is created the Task Force on Transitional Housing  
21 Facilities for Sex Offenders. The Task Force shall be composed  
22 of the following members:

23 (1) Two members from the Department of Corrections  
24 appointed by the Director of Corrections;

25 (2) Two members from the Prisoner Review Board

1 appointed by that Board;

2 (3) Two members of the Senate appointed by the  
3 President of the Senate;

4 (4) Two members of the Senate appointed by the Minority  
5 Leader of the Senate;

6 (5) Two members of the House of Representatives  
7 appointed by the Speaker of the House of Representatives;

8 (6) Two members of the House of Representatives  
9 appointed by the Minority Leader of the House of  
10 Representatives; and

11 (7) Two members of the Governor's Office appointed by  
12 the Governor.

13 (b) The Task Force shall study the implementation, cost,  
14 placement, and effectiveness of transitional housing  
15 facilities for sex offenders released from facilities of the  
16 Department of Corrections.

17 (c) The members of the Task Force shall receive no  
18 compensation for their services as members of the Task Force  
19 but may be reimbursed for their actual expenses incurred in  
20 serving on the Task Force from appropriations made to them for  
21 such purpose.

22 (730 ILCS 5/5-8A-6)

23 Sec. 5-8A-6. Electronic monitoring of certain sex  
24 offenders. For a sexual predator subject to electronic home  
25 monitoring under paragraph (7.7) of subsection (a) of Section

1 3-3-7, the Department of Corrections must use a system that  
2 actively monitors and identifies the offender's current  
3 location and timely reports or records the offender's presence  
4 and that alerts the Department of the offender's presence  
5 within a prohibited area described in Sections 11-9.3 and  
6 11-9.4 of the Criminal Code of 1961, in a court order, or as a  
7 condition of the offender's parole, mandatory supervised  
8 release, or extended mandatory supervised release and the  
9 offender's departure from specified geographic limitations. To  
10 the extent that he or she is able to do so, which the  
11 Department of Corrections by rule shall determine, the offender  
12 must pay for the cost of the electronic home monitoring,  
13 ~~provided funding is appropriated by the General Assembly for~~  
14 ~~this purpose.~~

15 (Source: P.A. 94-988, eff. 1-1-07.)

16 Section 25. The Sex Offender Registration Act is amended by  
17 changing Sections 3, 4, 5, 5-5, 6, 6-5, and 7 as follows:

18 (730 ILCS 150/3) (from Ch. 38, par. 223)

19 Sec. 3. Duty to register.

20 (a) A sex offender, as defined in Section 2 of this Act, or  
21 sexual predator shall, within the time period prescribed in  
22 subsections (b) and (c), register in person and provide  
23 accurate information as required by the Department of State  
24 Police. Such information shall include a current photograph,



1 current address, current place of employment, the employer's  
2 telephone number, school attended, extensions of the time  
3 period for registering as provided in this Article and, if an  
4 extension was granted, the reason why the extension was granted  
5 and the date the sex offender was notified of the extension.  
6 The information shall also include the county of conviction,  
7 license plate numbers for every vehicle registered in the name  
8 of the sex offender, the age of the sex offender at the time of  
9 the commission of the offense, the age of the victim at the  
10 time of the commission of the offense, and any distinguishing  
11 marks located on the body of the sex offender. A person who has  
12 been adjudicated a juvenile delinquent for an act which, if  
13 committed by an adult, would be a sex offense shall register as  
14 an adult sex offender within 10 days after attaining 17 years  
15 of age. The sex offender or sexual predator shall register:

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

21 (2) with the sheriff in the county in which he or she  
22 resides or is temporarily domiciled for a period of time of  
23 5 or more days in an unincorporated area or, if  
24 incorporated, no police chief exists.

25 If the sex offender or sexual predator is employed at or  
26 attends an institution of higher education, he or she shall

1 register:

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

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

11 For purposes of this Article, the place of residence or  
12 temporary domicile is defined as any and all places where the  
13 sex offender resides for an aggregate period of time of 5 or  
14 more days during any calendar year. Any person required to  
15 register under this Article who lacks a fixed address or  
16 temporary domicile must notify, in person, the agency of  
17 jurisdiction of his or her last known address within 3 days ~~5~~  
18 ~~days~~ after ceasing to have a fixed residence.

19 Any person who lacks a fixed residence must report weekly,  
20 in person, with the sheriff's office of the county in which he  
21 or she is located in an unincorporated area, or with the chief  
22 of police in the municipality in which he or she is located.  
23 The agency of jurisdiction will document each weekly  
24 registration to include all the locations where the person has  
25 stayed during the past 7 days.

26 The sex offender or sexual predator shall provide accurate

1 information as required by the Department of State Police. That  
2 information shall include the sex offender's or sexual  
3 predator's current place of employment.

4 (a-5) An out-of-state student or out-of-state employee  
5 shall, within 3 days ~~5 days~~ after beginning school or  
6 employment in this State, register in person and provide  
7 accurate information as required by the Department of State  
8 Police. Such information will include current place of  
9 employment, school attended, and address in state of residence.  
10 The out-of-state student or out-of-state employee shall  
11 register:

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

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

24 The out-of-state student or out-of-state employee shall  
25 provide accurate information as required by the Department of  
26 State Police. That information shall include the out-of-state

1 student's current place of school attendance or the  
2 out-of-state employee's current place of employment.

3 (b) Any sex offender, as defined in Section 2 of this Act,  
4 or sexual predator, regardless of any initial, prior, or other  
5 registration, shall, within 3 days ~~5 days~~ of beginning school,  
6 or establishing a residence, place of employment, or temporary  
7 domicile in any county, register in person as set forth in  
8 subsection (a) or (a-5).

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

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

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

21 (2.5) Except as provided in subsection (c) (4), any  
22 person who has not been notified of his or her  
23 responsibility to register shall be notified by a criminal  
24 justice entity of his or her responsibility to register.  
25 Upon notification the person must then register within 3  
26 days ~~5 days~~ of notification of his or her requirement to

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

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

10 (4) Any person unable to comply with the registration  
11 requirements of this Article because he or she is confined,  
12 institutionalized, or imprisoned in Illinois on or after  
13 January 1, 1996, shall register in person within 3 days ~~5~~  
14 ~~days~~ of discharge, parole or release.

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

18 (6) The person shall pay a \$20 initial registration fee  
19 and a \$10 annual renewal fee. The fees shall be used by the  
20 registering agency for official purposes. The agency shall  
21 establish procedures to document receipt and use of the  
22 funds. The law enforcement agency having jurisdiction may  
23 waive the registration fee if it determines that the person  
24 is indigent and unable to pay the registration fee. Ten  
25 dollars for the initial registration fee and \$5 of the  
26 annual renewal fee shall be used by the registering agency

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

13 (d) Within 3 days ~~5 days~~ after obtaining or changing  
14 employment and, if employed on January 1, 2000, within 5 days  
15 after that date, a person required to register under this  
16 Section must report, in person to the law enforcement agency  
17 having jurisdiction, the business name and address where he or  
18 she is employed. If the person has multiple businesses or work  
19 locations, every business and work location must be reported to  
20 the law enforcement agency having jurisdiction.

21 (Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04;  
22 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07.)

23 (730 ILCS 150/4) (from Ch. 38, par. 224)

24 Sec. 4. Discharge of sex offender, as defined in Section 2  
25 of this Act, or sexual predator from Department of Corrections

1 facility or other penal institution; duties of official in  
2 charge. Any sex offender, as defined in Section 2 of this Act,  
3 or sexual predator, as defined by this Article, who is  
4 discharged, paroled or released from a Department of  
5 Corrections facility, a facility where such person was placed  
6 by the Department of Corrections or another penal institution,  
7 and whose liability for registration has not terminated under  
8 Section 7 shall, prior to discharge, parole or release from the  
9 facility or institution, be informed of his or her duty to  
10 register in person within 3 days ~~5 days~~ of release by the  
11 facility or institution in which he or she was confined. The  
12 facility or institution shall also inform any person who must  
13 register that if he or she establishes a residence outside of  
14 the State of Illinois, is employed outside of the State of  
15 Illinois, or attends school outside of the State of Illinois,  
16 he or she must register in the new state within 3 days ~~5 days~~  
17 after establishing the residence, beginning employment, or  
18 beginning school.

19 The facility shall require the person to read and sign such  
20 form as may be required by the Department of State Police  
21 stating that the duty to register and the procedure for  
22 registration has been explained to him or her and that he or  
23 she understands the duty to register and the procedure for  
24 registration. The facility shall further advise the person in  
25 writing that the failure to register or other violation of this  
26 Article shall result in revocation of parole, mandatory

1 supervised release or conditional release. The facility shall  
2 obtain information about where the person expects to reside,  
3 work, and attend school upon his or her discharge, parole or  
4 release and shall report the information to the Department of  
5 State Police. The facility shall give one copy of the form to  
6 the person and shall send one copy to each of the law  
7 enforcement agencies having jurisdiction where the person  
8 expects to reside, work, and attend school upon his or her  
9 discharge, parole or release and retain one copy for the files.  
10 Electronic data files which includes all notification form  
11 information and photographs of sex offenders being released  
12 from an Illinois Department of Corrections facility will be  
13 shared on a regular basis as determined between the Department  
14 of State Police and the Department of Corrections.

15 (Source: P.A. 94-168, eff. 1-1-06.)

16 (730 ILCS 150/5) (from Ch. 38, par. 225)

17 Sec. 5. Release of sex offender, as defined in Section 2 of  
18 this Act, or sexual predator; duties of the Court. Any sex  
19 offender, as defined in Section 2 of this Act, or sexual  
20 predator, as defined by this Article, who is released on  
21 probation or discharged upon payment of a fine because of the  
22 commission of one of the offenses defined in subsection (B) of  
23 Section 2 of this Article, shall, prior to such release be  
24 informed of his or her duty to register under this Article by  
25 the Court in which he or she was convicted. The Court shall



1 also inform any person who must register that if he or she  
2 establishes a residence outside of the State of Illinois, is  
3 employed outside of the State of Illinois, or attends school  
4 outside of the State of Illinois, he or she must register in  
5 the new state within 3 days ~~5 days~~ after establishing the  
6 residence, beginning employment, or beginning school. The  
7 Court shall require the person to read and sign such form as  
8 may be required by the Department of State Police stating that  
9 the duty to register and the procedure for registration has  
10 been explained to him or her and that he or she understands the  
11 duty to register and the procedure for registration. The Court  
12 shall further advise the person in writing that the failure to  
13 register or other violation of this Article shall result in  
14 probation revocation. The Court shall obtain information about  
15 where the person expects to reside, work, and attend school  
16 upon his or her release, and shall report the information to  
17 the Department of State Police. The Court shall give one copy  
18 of the form to the person and retain the original in the court  
19 records. The Department of State Police shall notify the law  
20 enforcement agencies having jurisdiction where the person  
21 expects to reside, work and attend school upon his or her  
22 release.

23 (Source: P.A. 94-168, eff. 1-1-06.)

24 (730 ILCS 150/5-5)

25 Sec. 5-5. Discharge of sex offender or sexual predator from

1 a hospital or other treatment facility; duties of the official  
2 in charge. Any sex offender, as defined in Section 2 of this  
3 Act, or sexual predator, as defined in this Article, who is  
4 discharged or released from a hospital or other treatment  
5 facility where he or she was confined shall be informed by the  
6 hospital or treatment facility in which he or she was confined,  
7 prior to discharge or release from the hospital or treatment  
8 facility, of his or her duty to register under this Article.

9 The facility shall require the person to read and sign such  
10 form as may be required by the Department of State Police  
11 stating that the duty to register and the procedure for  
12 registration has been explained to him or her and that he or  
13 she understands the duty to register and the procedure for  
14 registration. The facility shall give one copy of the form to  
15 the person, retain one copy for their records, and forward the  
16 original to the Department of State Police. The facility shall  
17 obtain information about where the person expects to reside,  
18 work, and attend school upon his or her discharge, parole, or  
19 release and shall report the information to the Department of  
20 State Police within 3 days. The facility or institution shall  
21 also inform any person who must register that if he or she  
22 establishes a residence outside of the State of Illinois, is  
23 employed outside of the State of Illinois, or attends school  
24 outside of the State of Illinois, he or she must register in  
25 the new state within 3 days ~~5 days~~ after establishing the  
26 residence, beginning school, or beginning employment. The

1 Department of State Police shall notify the law enforcement  
2 agencies having jurisdiction where the person expects to  
3 reside, work, and attend school upon his or her release.

4 (Source: P.A. 94-168, eff. 1-1-06.)

5 (730 ILCS 150/6) (from Ch. 38, par. 226)

6 Sec. 6. Duty to report; change of address, school, or  
7 employment; duty to inform. A person who has been adjudicated  
8 to be sexually dangerous or is a sexually violent person and is  
9 later released, or found to be no longer sexually dangerous or  
10 no longer a sexually violent person and discharged, or  
11 convicted of a violation of this Act after July 1, 2005, shall  
12 report in person to the law enforcement agency with whom he or  
13 she last registered no later than 90 days after the date of his  
14 or her last registration and every 90 days thereafter and at  
15 such other times at the request of the law enforcement agency  
16 not to exceed 4 times a year. Any person who lacks a fixed  
17 residence must report weekly, in person, to the appropriate law  
18 enforcement agency where the sex offender is located. Any other  
19 person who is required to register under this Article shall  
20 report in person to the appropriate law enforcement agency with  
21 whom he or she last registered within one year from the date of  
22 last registration and every year thereafter and at such other  
23 times at the request of the law enforcement agency not to  
24 exceed 4 times a year. If any person required to register under  
25 this Article lacks a fixed residence or temporary domicile, he

1 or she must notify, in person, the agency of jurisdiction of  
2 his or her last known address within 3 days ~~5 days~~ after  
3 ceasing to have a fixed residence and if the offender leaves  
4 the last jurisdiction of residence, he or she, must within 3  
5 days ~~48 hours~~ after leaving register in person with the new  
6 agency of jurisdiction. If any other person required to  
7 register under this Article changes his or her residence  
8 address, place of employment, or school, he or she shall report  
9 in person to ~~5~~ the law enforcement agency with whom he or she  
10 last registered of his or her new address, change in  
11 employment, or school and register, in person, with the  
12 appropriate law enforcement agency within the time period  
13 specified in Section 3. The law enforcement agency shall,  
14 within 3 days of the reporting in person by the person required  
15 to register under this Article, notify the Department of State  
16 Police of the new place of residence, change in employment, or  
17 school.

18 If any person required to register under this Article  
19 intends to establish a residence or employment outside of the  
20 State of Illinois, at least 10 days before establishing that  
21 residence or employment, he or she shall report in person to  
22 the law enforcement agency with which he or she last registered  
23 of his or her out-of-state intended residence or employment.  
24 The law enforcement agency with which such person last  
25 registered shall, within 3 days after the reporting in person  
26 of the person required to register under this Article of an

1 address or employment change, notify the Department of State  
2 Police. The Department of State Police shall forward such  
3 information to the out-of-state law enforcement agency having  
4 jurisdiction in the form and manner prescribed by the  
5 Department of State Police.

6 (Source: P.A. 93-977, eff. 8-20-04; 94-166, eff. 1-1-06;  
7 94-168, eff. 1-1-06; revised 8-19-05.)

8 (730 ILCS 150/6-5)

9 Sec. 6-5. Out-of-State employee or student; duty to report  
10 change. Every out-of-state student or out-of-state employee  
11 must notify the agency having jurisdiction of any change of  
12 employment or change of educational status, in writing, within  
13 3 days ~~5 days~~ of the change. The law enforcement agency shall,  
14 within 3 days after receiving the notice, enter the appropriate  
15 changes into LEADS.

16 (Source: P.A. 94-168, eff. 1-1-06.)

17 (730 ILCS 150/7) (from Ch. 38, par. 227)

18 Sec. 7. Duration of registration. A person who has been  
19 adjudicated to be sexually dangerous and is later released or  
20 found to be no longer sexually dangerous and discharged, shall  
21 register for the period of his or her natural life. A sexually  
22 violent person or sexual predator shall register for the period  
23 of his or her natural life after conviction or adjudication if  
24 not confined to a penal institution, hospital, or other

1 institution or facility, and if confined, for the period of his  
2 or her natural life after parole, discharge, or release from  
3 any such facility. Any other person who is required to register  
4 under this Article shall be required to register for a period  
5 of 10 years after conviction or adjudication if not confined to  
6 a penal institution, hospital or any other institution or  
7 facility, and if confined, for a period of 10 years after  
8 parole, discharge or release from any such facility. A sex  
9 offender who is allowed to leave a county, State, or federal  
10 facility for the purposes of work release, education, or  
11 overnight visitations shall be required to register within 3  
12 days ~~5 days~~ of beginning such a program. Liability for  
13 registration terminates at the expiration of 10 years from the  
14 date of conviction or adjudication if not confined to a penal  
15 institution, hospital or any other institution or facility and  
16 if confined, at the expiration of 10 years from the date of  
17 parole, discharge or release from any such facility, providing  
18 such person does not, during that period, again become liable  
19 to register under the provisions of this Article. Reconfinement  
20 due to a violation of parole or other circumstances that  
21 relates to the original conviction or adjudication shall extend  
22 the period of registration to 10 years after final parole,  
23 discharge, or release. The Director of State Police, consistent  
24 with administrative rules, shall extend for 10 years the  
25 registration period of any sex offender, as defined in Section  
26 2 of this Act, who fails to comply with the provisions of this

1 Article. The registration period for any sex offender who fails  
2 to comply with any provision of the Act shall extend the period  
3 of registration by 10 years beginning from the first date of  
4 registration after the violation. If the registration period is  
5 extended, the Department of State Police shall send a  
6 registered letter to the law enforcement agency where the sex  
7 offender resides within 3 days after the extension of the  
8 registration period. The sex offender shall report to that law  
9 enforcement agency and sign for that letter. One copy of that  
10 letter shall be kept on file with the law enforcement agency of  
11 the jurisdiction where the sex offender resides and one copy  
12 shall be returned to the Department of State Police.

13 (Source: P.A. 93-979, eff. 8-20-04; 94-166, eff. 1-1-06;  
14 94-168, eff. 1-1-06; revised 8-19-05.)

15 Section 30. The Sex Offender Community Notification Law is  
16 amended by changing Section 120 as follows:

17 (730 ILCS 152/120)

18 Sec. 120. Community notification of sex offenders.

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

24 (1) The boards of institutions of higher education or

1 other appropriate administrative offices of each  
2 non-public institution of higher education located in the  
3 county where the sex offender is required to register,  
4 resides, is employed, or is attending an institution of  
5 higher education; ~~and~~

6 (2) School boards of public school districts and the  
7 principal or other appropriate administrative officer of  
8 each nonpublic school located in the county where the sex  
9 offender is required to register or is employed; ~~and~~

10 (3) Child care facilities located in the county where  
11 the sex offender is required to register or is employed; ~~-~~

12 (4) Public libraries located in the county where the  
13 sex offender is required to register or is employed;

14 (5) Public housing agencies located in the county where  
15 the sex offender is required to register or is employed;

16 (6) The Illinois Department of Children and Family  
17 Services;

18 (7) Social service agencies providing services to  
19 minors located in the county where the sex offender is  
20 required to register or is employed; and

21 (8) Volunteer organizations providing services to  
22 minors located in the county where the sex offender is  
23 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, and offense or adjudication of all



1 sex offenders required to register under Section 3 of the Sex  
2 Offender Registration Act:

3 (1) School boards of public school districts and the  
4 principal or other appropriate administrative officer of  
5 each nonpublic school located within the region of Cook  
6 County, as those public school districts and nonpublic  
7 schools are identified in LEADS, other than the City of  
8 Chicago, where the sex offender is required to register or  
9 is employed; ~~and~~

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

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

20 (4) Public libraries located in the county, other than  
21 the City of Chicago, where the sex offender is required to  
22 register, resides, is employed, or attending an  
23 institution of higher education;

24 (5) Public housing agencies located in the county,  
25 other than the City of Chicago, where the sex offender is  
26 required to register, resides, is employed, or attending an

1 institution of higher education;

2 (6) The Illinois Department of Children and Family  
3 Services;

4 (7) Social service agencies providing services to  
5 minors located in the county, other than the City of  
6 Chicago, where the sex offender is required to register,  
7 resides, is employed, or attending an institution of higher  
8 education; and

9 (8) Volunteer organizations providing services to  
10 minors located in the county, other than the City of  
11 Chicago, where the sex offender is required to register,  
12 resides, is employed, or attending an institution of higher  
13 education.

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

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

25 (2) Child care facilities located in the police  
26 district where the sex offender is required to register or

1 is employed if the offender is required to register or is  
2 employed in the City of Chicago; ~~and~~

3 (3) The boards of institutions of higher education or  
4 other appropriate administrative offices of each  
5 non-public institution of higher education located in the  
6 police district where the sex offender is required to  
7 register, resides, is employed, or attending an  
8 institution of higher education in the City of Chicago; ~~and~~

9 (4) Public libraries located in the police district  
10 where the sex offender is required to register, resides, is  
11 employed, or attending an institution of higher education  
12 in the City of Chicago;

13 (5) Public housing agencies located in the police  
14 district where the sex offender is required to register,  
15 resides, is employed, or attending an institution of higher  
16 education in the City of Chicago;

17 (6) The Illinois Department of Children and Family  
18 Services;

19 (7) Social service agencies providing services to  
20 minors located in the police district where the sex  
21 offender is required to register, resides, is employed, or  
22 attending an institution of higher education in the City of  
23 Chicago; and

24 (8) Volunteer organizations providing services to  
25 minors located in the police district where the sex  
26 offender is required to register, resides, is employed, or

1       attending an institution of higher education in the City of  
2       Chicago.

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

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

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

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

12           (3) Adjudication as a sexually dangerous person.

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

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

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

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

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

1 agency having jurisdiction may, in the Department's or agency's  
2 discretion, place the information specified in subsection (b)  
3 on the Internet or in other media.

4 (e) (Blank).

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

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

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