



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB1509

Introduced 2/9/2007, by Sen. Kwame Raoul

#### SYNOPSIS AS INTRODUCED:

730 ILCS 150/3-5 new

Amends the Sex Offender Registration Act. Provides that in all cases involving an adjudicated juvenile delinquent who meets the definition of sex offender as set forth in the Act, the court shall order the minor to register as a sex offender. Provides that once an adjudicated juvenile delinquent is ordered to register as a sex offender, the adjudicated juvenile delinquent shall be subject to the registration requirements set forth in the Act for the term of his or her registration. Provides that no less than 5 years after registration, the minor may petition for the termination of the term of registration. Provides that the court may upon a hearing on the petition for termination of registration, terminate registration if the court finds that the registrant poses no risk to the community by a preponderance of the evidence based upon certain factors. Provides that an adjudicated juvenile delinquent shall not be considered a sexual predator, as defined in the Act, for the purposes of mandatory registration for the term of natural life. Provides that these provisions apply retroactively. Effective immediately.

LRB095 06760 RLC 26876 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning sex offenders.

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

4 Section 5. The Sex Offender Registration Act is amended by  
5 adding Section 3-5 as follows:

6 (730 ILCS 150/3-5 new)

7 Sec. 3-5. Application of Act to adjudicated juvenile  
8 delinquents.

9 (a) In all cases involving an adjudicated juvenile  
10 delinquent who meets the definition of sex offender as set  
11 forth in paragraph (5) of subsection (A) of Section 2 of this  
12 Act, the court shall order the minor to register as a sex  
13 offender.

14 (b) Once an adjudicated juvenile delinquent is ordered to  
15 register as a sex offender, the adjudicated juvenile delinquent  
16 shall be subject to the registration requirements set forth in  
17 Sections 3, 6, 6-5, 8, 8-5, and 10 for the term of his or her  
18 registration.

19 (c) No less than 5 years after registration ordered  
20 pursuant to subsection (a) of this Section the minor may  
21 petition for the termination of the term of registration.

22 (d) The court may upon a hearing on the petition for  
23 termination of registration, terminate registration if the

1 court finds that the registrant poses no risk to the community  
2 by a preponderance of the evidence based upon the factors set  
3 forth in subsection (e).

4 (e) To determine whether a registrant poses a risk to the  
5 community as required by subsection (d), the court shall  
6 consider the following factors:

7 (1) a risk assessment performed by an evaluator  
8 approved by the Sex Offender Management Board;

9 (2) the sex offender history of the adjudicated  
10 juvenile delinquent;

11 (3) evidence of the adjudicated juvenile delinquent's  
12 rehabilitation;

13 (4) the age of the adjudicated juvenile delinquent at  
14 the time of the offense;

15 (5) information related to the adjudicated juvenile  
16 delinquent's mental, physical, educational, and social  
17 history;

18 (6) victim impact statements; and

19 (7) any other factors deemed relevant by the court.

20 (f) At the hearing set forth in subsections (c) and (d), a  
21 registrant shall be represented by counsel and may present a  
22 risk assessment conducted by an evaluator who is a licensed  
23 psychiatrist, psychologist, or other mental health  
24 professional, and who has demonstrated clinical experience in  
25 juvenile sex offender treatment.

26 (g) After a registrant completes the term of his or her

1 registration, his or her name, address, and all other  
2 identifying information shall be removed from all State and  
3 local registries.

4 (h) An adjudicated juvenile delinquent shall not be  
5 considered a sexual predator, as defined in subsection (E) of  
6 Section 2 of this Act, for the purposes of mandatory  
7 registration for the term of natural life as set forth in  
8 Section 7 of this Act.

9 (i) This Section applies retroactively to cases in which  
10 adjudicated juvenile delinquents who registered or were  
11 required to register before the effective date of this  
12 amendatory Act of the 95th General Assembly. On or after the  
13 effective date of this amendatory Act of the 95th General  
14 Assembly, a person adjudicated delinquent before the effective  
15 date of this amendatory Act of the 95th General Assembly may  
16 request a hearing regarding status of registration by filing a  
17 Petition Requesting Registration Status with the clerk of the  
18 court. Upon receipt of the Petition Requesting Registration  
19 Status, the clerk of the court shall provide notice to the  
20 parties and set the Petition for hearing pursuant to  
21 subsections (c) through (e) of this Section.

22 (j) This Section does not apply to minors prosecuted under  
23 the criminal laws as adults.

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.