

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 by adding
5 Section 12-21.6-5 as follows:

6 (720 ILCS 5/12-21.6-5 new)

7 Sec. 12-21.6-5. Parent or guardian leaving custody or
8 control of child with child sex offender.

9 (a) For the purposes of this Section, "minor" means a
10 person under 18 years of age; and "child sex offender" means a
11 sex offender who is registered under the Sex Offender
12 Registration Act and is a child sex offender as defined in
13 Sections 11-9.3 and 11-9.4 of this Code.

14 (b) It is unlawful for a parent or guardian of a minor to
15 knowingly leave that minor in the custody or control of a child
16 sex offender, or allow the child sex offender unsupervised
17 access to the minor.

18 (c) This Section does not apply to leaving the minor in the
19 custody or control of, or allowing unsupervised access to the
20 minor by:

21 (1) a child sex offender who is the parent of the
22 minor;

23 (2) a person convicted of a violation of subsection (c)

1 of Section 12-15 of this Code; or

2 (3) a child sex offender who is married to and living
3 in the same household with the parent or guardian of the
4 minor.

5 (d) Sentence. A person who violates this Section is guilty
6 of a Class A misdemeanor.

7 Section 10. The Sex Offender Registration Act is amended by
8 changing Sections 3 and 6 as follows:

9 (730 ILCS 150/3)

10 Sec. 3. Duty to register.

11 (a) A sex offender, as defined in Section 2 of this Act, or
12 sexual predator shall, within the time period prescribed in
13 subsections (b) and (c), register in person and provide
14 accurate information as required by the Department of State
15 Police. Such information shall include a current photograph,
16 current address, current place of employment, the employer's
17 telephone number, school attended, all e-mail addresses,
18 instant messaging identities, chat room identities, and other
19 Internet communications identities that the sex offender uses
20 or plans to use, all Uniform Resource Locators (URLs)
21 registered or used by the sex offender, all blogs and other
22 Internet sites maintained by the sex offender or to which the
23 sex offender has uploaded any content or posted any messages or
24 information, extensions of the time period for registering as

1 provided in this Article and, if an extension was granted, the
2 reason why the extension was granted and the date the sex
3 offender was notified of the extension. The information shall
4 also include the county of conviction, license plate numbers
5 for every vehicle registered in the name of the sex offender,
6 the age of the sex offender at the time of the commission of
7 the offense, the age of the victim at the time of the
8 commission of the offense, and any distinguishing marks located
9 on the body of the sex offender. A sex offender convicted under
10 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code
11 of 1961 shall provide all Internet protocol (IP) addresses in
12 his or her residence, registered in his or her name, accessible
13 at his or her place of employment, or otherwise under his or
14 her control or custody. If the sex offender is a child sex
15 offender as defined in Section 11-9.3 or 11-9.4 of the Criminal
16 Code of 1961, the sex offender shall report to the registering
17 agency whether he or she is living in a household with a child
18 under 18 years of age who is not his or her own child. The sex
19 offender or sexual predator shall register:

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

25 (2) with the sheriff in the county in which he or she
26 resides or is temporarily domiciled for a period of time of

1 5 or more days in an unincorporated area or, if
2 incorporated, no police chief exists.

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

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

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

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

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

1 The agency of jurisdiction will document each weekly
2 registration to include all the locations where the person has
3 stayed during the past 7 days.

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

8 (a-5) An out-of-state student or out-of-state employee
9 shall, within 3 days after beginning school or employment in
10 this State, register in person and provide accurate information
11 as required by the Department of State Police. Such information
12 will include current place of employment, school attended, and
13 address in state of residence. A sex offender convicted under
14 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code
15 of 1961 shall provide all Internet protocol (IP) addresses in
16 his or her residence, registered in his or her name, accessible
17 at his or her place of employment, or otherwise under his or
18 her control or custody. The out-of-state student or
19 out-of-state employee shall register:

20 (1) with the chief of police in the municipality in
21 which he or she attends school or is employed for a period
22 of time of 5 or more days or for an aggregate period of
23 time of more than 30 days during any calendar year, unless
24 the municipality is the City of Chicago, in which case he
25 or she shall register at the Chicago Police Department
26 Headquarters; or

1 (2) with the sheriff in the county in which he or she
2 attends school or is employed for a period of time of 5 or
3 more days or for an aggregate period of time of more than
4 30 days during any calendar year in an unincorporated area
5 or, if incorporated, no police chief exists.

6 The out-of-state student or out-of-state employee shall
7 provide accurate information as required by the Department of
8 State Police. That information shall include the out-of-state
9 student's current place of school attendance or the
10 out-of-state employee's current place of employment.

11 (a-10) Any law enforcement agency registering sex
12 offenders or sexual predators in accordance with subsections
13 (a) or (a-5) of this Section shall forward to the Attorney
14 General a copy of sex offender registration forms from persons
15 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the
16 Criminal Code of 1961, including periodic and annual
17 registrations under Section 6 of this Act.

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

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

26 (1) Any person registered under the Habitual Child Sex

1 Offender Registration Act or the Child Sex Offender
2 Registration Act prior to January 1, 1996, shall be deemed
3 initially registered as of January 1, 1996; however, this
4 shall not be construed to extend the duration of
5 registration set forth in Section 7.

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

10 (2.5) Except as provided in subsection (c)(4), any
11 person who has not been notified of his or her
12 responsibility to register shall be notified by a criminal
13 justice entity of his or her responsibility to register.
14 Upon notification the person must then register within 3
15 days of notification of his or her requirement to register.
16 If notification is not made within the offender's 10 year
17 registration requirement, and the Department of State
18 Police determines no evidence exists or indicates the
19 offender attempted to avoid registration, the offender
20 will no longer be required to register under this Act.

21 (3) Except as provided in subsection (c)(4), any person
22 convicted on or after January 1, 1996, shall register in
23 person within 3 days after the entry of the sentencing
24 order based upon his or her conviction.

25 (4) Any person unable to comply with the registration
26 requirements of this Article because he or she is confined,

1 institutionalized, or imprisoned in Illinois on or after
2 January 1, 1996, shall register in person within 3 days of
3 discharge, parole or release.

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

7 (6) The person shall pay a \$20 initial registration fee
8 and a \$10 annual renewal fee. The fees shall be used by the
9 registering agency for official purposes. The agency shall
10 establish procedures to document receipt and use of the
11 funds. The law enforcement agency having jurisdiction may
12 waive the registration fee if it determines that the person
13 is indigent and unable to pay the registration fee. Ten
14 dollars for the initial registration fee and \$5 of the
15 annual renewal fee shall be used by the registering agency
16 for official purposes. Ten dollars of the initial
17 registration fee and \$5 of the annual fee shall be
18 deposited into the Sex Offender Management Board Fund under
19 Section 19 of the Sex Offender Management Board Act. Money
20 deposited into the Sex Offender Management Board Fund shall
21 be administered by the Sex Offender Management Board and
22 shall be used to fund practices endorsed or required by the
23 Sex Offender Management Board Act including but not limited
24 to sex offenders evaluation, treatment, or monitoring
25 programs that are or may be developed, as well as for
26 administrative costs, including staff, incurred by the

1 Board.

2 (d) Within 3 days after obtaining or changing employment
3 and, if employed on January 1, 2000, within 5 days after that
4 date, a person required to register under this Section must
5 report, in person to the law enforcement agency having
6 jurisdiction, the business name and address where he or she is
7 employed. If the person has multiple businesses or work
8 locations, every business and work location must be reported to
9 the law enforcement agency having jurisdiction.

10 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994,
11 eff. 1-1-07; 95-229, eff. 8-16-07; 95-579, eff. 6-1-08; 95-640,
12 eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff. 8-21-08.)

13 (730 ILCS 150/6) (from Ch. 38, par. 226)

14 Sec. 6. Duty to report; change of address, school, or
15 employment; duty to inform. A person who has been adjudicated
16 to be sexually dangerous or is a sexually violent person and is
17 later released, or found to be no longer sexually dangerous or
18 no longer a sexually violent person and discharged, or
19 convicted of a violation of this Act after July 1, 2005, shall
20 report in person to the law enforcement agency with whom he or
21 she last registered no later than 90 days after the date of his
22 or her last registration and every 90 days thereafter and at
23 such other times at the request of the law enforcement agency
24 not to exceed 4 times a year. Such sexually dangerous or
25 sexually violent person must report all new or changed e-mail

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

1 address, place of employment, or school, he or she shall report
2 in person to the law enforcement agency with whom he or she
3 last registered of his or her new address, change in
4 employment, or school, all new or changed e-mail addresses, all
5 new or changed instant messaging identities, all new or changed
6 chat room identities, and all other new or changed Internet
7 communications identities that the sex offender uses or plans
8 to use, all new or changed Uniform Resource Locators (URLs)
9 registered or used by the sex offender, and all new or changed
10 blogs and other Internet sites maintained by the sex offender
11 or to which the sex offender has uploaded any content or posted
12 any messages or information, and register, in person, with the
13 appropriate law enforcement agency within the time period
14 specified in Section 3. If the sex offender is a child sex
15 offender as defined in Section 11-9.3 or 11-9.4 of the Criminal
16 Code of 1961, the sex offender shall within 3 days after
17 beginning to reside in a household with a child under 18 years
18 of age who is not his or her own child report that information
19 to the registering law enforcement agency. The law enforcement
20 agency shall, within 3 days of the reporting in person by the
21 person required to register under this Article, notify the
22 Department of State Police of the new place of residence,
23 change in employment, or school.

24 If any person required to register under this Article
25 intends to establish a residence or employment outside of the
26 State of Illinois, at least 10 days before establishing that

1 residence or employment, he or she shall report in person to
2 the law enforcement agency with which he or she last registered
3 of his or her out-of-state intended residence or employment.
4 The law enforcement agency with which such person last
5 registered shall, within 3 days after the reporting in person
6 of the person required to register under this Article of an
7 address or employment change, notify the Department of State
8 Police. The Department of State Police shall forward such
9 information to the out-of-state law enforcement agency having
10 jurisdiction in the form and manner prescribed by the
11 Department of State Police.

12 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 95-229,
13 eff. 8-16-07; 95-331, eff. 8-21-07; 95-640, eff. 6-1-08;
14 95-876, eff. 8-21-08.)