



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1702

Introduced 2/19/2009, by Sen. Kirk W. Dillard

#### SYNOPSIS AS INTRODUCED:

730 ILCS 150/2	from Ch. 38, par. 222
730 ILCS 150/3	
730 ILCS 150/6	from Ch. 38, par. 226
730 ILCS 152/105	

Amends the Sex Offender Registration Act and the Sex Offender Community Notification Law. Transfers from municipal police departments, other than the Chicago Police Department, to the offices of county sheriffs the registration functions prescribed in the Sex Offender Registration Act.

LRB096 07601 RLC 17697 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 changing Sections 2, 3, and 6 as follows:

6 (730 ILCS 150/2) (from Ch. 38, par. 222)

7 Sec. 2. Definitions.

8 (A) As used in this Article, "sex offender" means any  
9 person who is:

10 (1) charged pursuant to Illinois law, or any  
11 substantially similar federal, Uniform Code of Military  
12 Justice, sister state, or foreign country law, with a sex  
13 offense set forth in subsection (B) of this Section or the  
14 attempt to commit an included sex offense, and:

15 (a) is convicted of such offense or an attempt to  
16 commit such offense; or

17 (b) is found not guilty by reason of insanity of  
18 such offense or an attempt to commit such offense; or

19 (c) is found not guilty by reason of insanity  
20 pursuant to Section 104-25(c) of the Code of Criminal  
21 Procedure of 1963 of such offense or an attempt to  
22 commit such offense; or

23 (d) is the subject of a finding not resulting in an

1 acquittal at a hearing conducted pursuant to Section  
2 104-25(a) of the Code of Criminal Procedure of 1963 for  
3 the alleged commission or attempted commission of such  
4 offense; or

5 (e) is found not guilty by reason of insanity  
6 following a hearing conducted pursuant to a federal,  
7 Uniform Code of Military Justice, sister state, or  
8 foreign country law substantially similar to Section  
9 104-25(c) of the Code of Criminal Procedure of 1963 of  
10 such offense or of the attempted commission of such  
11 offense; or

12 (f) is the subject of a finding not resulting in an  
13 acquittal at a hearing conducted pursuant to a federal,  
14 Uniform Code of Military Justice, sister state, or  
15 foreign country law substantially similar to Section  
16 104-25(a) of the Code of Criminal Procedure of 1963 for  
17 the alleged violation or attempted commission of such  
18 offense; or

19 (2) certified as a sexually dangerous person pursuant  
20 to the Illinois Sexually Dangerous Persons Act, or any  
21 substantially similar federal, Uniform Code of Military  
22 Justice, sister state, or foreign country law; or

23 (3) subject to the provisions of Section 2 of the  
24 Interstate Agreements on Sexually Dangerous Persons Act;  
25 or

26 (4) found to be a sexually violent person pursuant to

1 the Sexually Violent Persons Commitment Act or any  
2 substantially similar federal, Uniform Code of Military  
3 Justice, sister state, or foreign country law; or

4 (5) adjudicated a juvenile delinquent as the result of  
5 committing or attempting to commit an act which, if  
6 committed by an adult, would constitute any of the offenses  
7 specified in item (B), (C), or (C-5) of this Section or a  
8 violation of any substantially similar federal, Uniform  
9 Code of Military Justice, sister state, or foreign country  
10 law, or found guilty under Article V of the Juvenile Court  
11 Act of 1987 of committing or attempting to commit an act  
12 which, if committed by an adult, would constitute any of  
13 the offenses specified in item (B), (C), or (C-5) of this  
14 Section or a violation of any substantially similar  
15 federal, Uniform Code of Military Justice, sister state, or  
16 foreign country law.

17 Convictions that result from or are connected with the same  
18 act, or result from offenses committed at the same time, shall  
19 be counted for the purpose of this Article as one conviction.  
20 Any conviction set aside pursuant to law is not a conviction  
21 for purposes of this Article.

22 For purposes of this Section, "convicted" shall have the  
23 same meaning as "adjudicated".

24 (B) As used in this Article, "sex offense" means:

25 (1) A violation of any of the following Sections of the  
26 Criminal Code of 1961:

1 11-20.1 (child pornography),  
2 11-20.3 (aggravated child pornography),  
3 11-6 (indecent solicitation of a child),  
4 11-9.1 (sexual exploitation of a child),  
5 11-9.2 (custodial sexual misconduct),  
6 11-9.5 (sexual misconduct with a person with a  
7 disability),  
8 11-15.1 (soliciting for a juvenile prostitute),  
9 11-18.1 (patronizing a juvenile prostitute),  
10 11-17.1 (keeping a place of juvenile  
11 prostitution),  
12 11-19.1 (juvenile pimping),  
13 11-19.2 (exploitation of a child),  
14 12-13 (criminal sexual assault),  
15 12-14 (aggravated criminal sexual assault),  
16 12-14.1 (predatory criminal sexual assault of a  
17 child),  
18 12-15 (criminal sexual abuse),  
19 12-16 (aggravated criminal sexual abuse),  
20 12-33 (ritualized abuse of a child).

21 An attempt to commit any of these offenses.

22 (1.5) A violation of any of the following Sections of  
23 the Criminal Code of 1961, when the victim is a person  
24 under 18 years of age, the defendant is not a parent of the  
25 victim, the offense was sexually motivated as defined in  
26 Section 10 of the Sex Offender Management Board Act, and

1 the offense was committed on or after January 1, 1996:

2 10-1 (kidnapping),

3 10-2 (aggravated kidnapping),

4 10-3 (unlawful restraint),

5 10-3.1 (aggravated unlawful restraint).

6 (1.6) First degree murder under Section 9-1 of the  
7 Criminal Code of 1961, when the victim was a person under  
8 18 years of age and the defendant was at least 17 years of  
9 age at the time of the commission of the offense, provided  
10 the offense was sexually motivated as defined in Section 10  
11 of the Sex Offender Management Board Act.

12 (1.7) (Blank).

13 (1.8) A violation or attempted violation of Section  
14 11-11 (sexual relations within families) of the Criminal  
15 Code of 1961, and the offense was committed on or after  
16 June 1, 1997.

17 (1.9) Child abduction under paragraph (10) of  
18 subsection (b) of Section 10-5 of the Criminal Code of 1961  
19 committed by luring or attempting to lure a child under the  
20 age of 16 into a motor vehicle, building, house trailer, or  
21 dwelling place without the consent of the parent or lawful  
22 custodian of the child for other than a lawful purpose and  
23 the offense was committed on or after January 1, 1998,  
24 provided the offense was sexually motivated as defined in  
25 Section 10 of the Sex Offender Management Board Act.

26 (1.10) A violation or attempted violation of any of the

1 following Sections of the Criminal Code of 1961 when the  
2 offense was committed on or after July 1, 1999:

3 10-4 (forcible detention, if the victim is under 18  
4 years of age), provided the offense was sexually  
5 motivated as defined in Section 10 of the Sex Offender  
6 Management Board Act,

7 11-6.5 (indecent solicitation of an adult),

8 11-15 (soliciting for a prostitute, if the victim  
9 is under 18 years of age),

10 11-16 (pandering, if the victim is under 18 years  
11 of age),

12 11-18 (patronizing a prostitute, if the victim is  
13 under 18 years of age),

14 11-19 (pimping, if the victim is under 18 years of  
15 age).

16 (1.11) A violation or attempted violation of any of the  
17 following Sections of the Criminal Code of 1961 when the  
18 offense was committed on or after August 22, 2002:

19 11-9 (public indecency for a third or subsequent  
20 conviction).

21 (1.12) A violation or attempted violation of Section  
22 5.1 of the Wrongs to Children Act (permitting sexual abuse)  
23 when the offense was committed on or after August 22, 2002.

24 (2) A violation of any former law of this State  
25 substantially equivalent to any offense listed in  
26 subsection (B) of this Section.

1 (C) A conviction for an offense of federal law, Uniform  
2 Code of Military Justice, or the law of another state or a  
3 foreign country that is substantially equivalent to any offense  
4 listed in subsections (B), (C), and (E) of this Section shall  
5 constitute a conviction for the purpose of this Article. A  
6 finding or adjudication as a sexually dangerous person or a  
7 sexually violent person under any federal law, Uniform Code of  
8 Military Justice, or the law of another state or foreign  
9 country that is substantially equivalent to the Sexually  
10 Dangerous Persons Act or the Sexually Violent Persons  
11 Commitment Act shall constitute an adjudication for the  
12 purposes of this Article.

13 (C-5) A person at least 17 years of age at the time of the  
14 commission of the offense who is convicted of first degree  
15 murder under Section 9-1 of the Criminal Code of 1961, against  
16 a person under 18 years of age, shall be required to register  
17 for natural life. A conviction for an offense of federal,  
18 Uniform Code of Military Justice, sister state, or foreign  
19 country law that is substantially equivalent to any offense  
20 listed in subsection (C-5) of this Section shall constitute a  
21 conviction for the purpose of this Article. This subsection  
22 (C-5) applies to a person who committed the offense before June  
23 1, 1996 only if the person is incarcerated in an Illinois  
24 Department of Corrections facility on August 20, 2004 (the  
25 effective date of Public Act 93-977).

26 (D) As used in this Article, "law enforcement agency having



1 jurisdiction" means Chicago Police Department Headquarters if  
2 the sex offender expects to reside, work, or attend school in  
3 the City of Chicago ~~the Chief of Police in each of the~~  
4 ~~municipalities in which the sex offender expects to reside,~~  
5 ~~work, or attend school~~ (1) upon his or her discharge, parole or  
6 release or (2) during the service of his or her sentence of  
7 probation or conditional discharge, or the Sheriff of the  
8 county if the sex offender intends to reside, work, or attend  
9 school outside of the City of Chicago ~~, in the event no Police~~  
10 ~~Chief exists or if the offender intends to reside, work, or~~  
11 ~~attend school in an unincorporated area.~~ "Law enforcement  
12 agency having jurisdiction" includes the location where  
13 out-of-state students attend school and where out-of-state  
14 employees are employed or are otherwise required to register.

15 (D-1) As used in this Article, "supervising officer" means  
16 the assigned Illinois Department of Corrections parole agent or  
17 county probation officer.

18 (E) As used in this Article, "sexual predator" means any  
19 person who, after July 1, 1999, is:

20 (1) Convicted for an offense of federal, Uniform Code  
21 of Military Justice, sister state, or foreign country law  
22 that is substantially equivalent to any offense listed in  
23 subsection (E) of this Section shall constitute a  
24 conviction for the purpose of this Article. Convicted of a  
25 violation or attempted violation of any of the following  
26 Sections of the Criminal Code of 1961, if the conviction

1 occurred after July 1, 1999:

2 11-17.1 (keeping a place of juvenile  
3 prostitution),

4 11-19.1 (juvenile pimping),

5 11-19.2 (exploitation of a child),

6 11-20.1 (child pornography),

7 11-20.3 (aggravated child pornography),

8 12-13 (criminal sexual assault),

9 12-14 (aggravated criminal sexual assault),

10 12-14.1 (predatory criminal sexual assault of a  
11 child),

12 12-16 (aggravated criminal sexual abuse),

13 12-33 (ritualized abuse of a child);

14 (2) (blank);

15 (3) certified as a sexually dangerous person pursuant  
16 to the Sexually Dangerous Persons Act or any substantially  
17 similar federal, Uniform Code of Military Justice, sister  
18 state, or foreign country law;

19 (4) found to be a sexually violent person pursuant to  
20 the Sexually Violent Persons Commitment Act or any  
21 substantially similar federal, Uniform Code of Military  
22 Justice, sister state, or foreign country law;

23 (5) convicted of a second or subsequent offense which  
24 requires registration pursuant to this Act. The conviction  
25 for the second or subsequent offense must have occurred  
26 after July 1, 1999. For purposes of this paragraph (5),

1 "convicted" shall include a conviction under any  
2 substantially similar Illinois, federal, Uniform Code of  
3 Military Justice, sister state, or foreign country law; or  
4 (6) convicted of a second or subsequent offense of  
5 luring a minor under Section 10-5.1 of the Criminal Code of  
6 1961.

7 (F) As used in this Article, "out-of-state student" means  
8 any sex offender, as defined in this Section, or sexual  
9 predator who is enrolled in Illinois, on a full-time or  
10 part-time basis, in any public or private educational  
11 institution, including, but not limited to, any secondary  
12 school, trade or professional institution, or institution of  
13 higher learning.

14 (G) As used in this Article, "out-of-state employee" means  
15 any sex offender, as defined in this Section, or sexual  
16 predator who works in Illinois, regardless of whether the  
17 individual receives payment for services performed, for a  
18 period of time of 10 or more days or for an aggregate period of  
19 time of 30 or more days during any calendar year. Persons who  
20 operate motor vehicles in the State accrue one day of  
21 employment time for any portion of a day spent in Illinois.

22 (H) As used in this Article, "school" means any public or  
23 private educational institution, including, but not limited  
24 to, any elementary or secondary school, trade or professional  
25 institution, or institution of higher education.

26 (I) As used in this Article, "fixed residence" means any

1 and all places that a sex offender resides for an aggregate  
2 period of time of 5 or more days in a calendar year.

3 (J) As used in this Article, "Internet protocol address"  
4 means the string of numbers by which a location on the Internet  
5 is identified by routers or other computers connected to the  
6 Internet.

7 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-945,  
8 eff. 6-27-06; 94-1053, eff. 7-24-06; 95-331, eff. 8-21-07;  
9 95-579, eff. 6-1-08; 95-625, eff. 6-1-08; 95-658, eff.  
10 10-11-07; 95-876, eff. 8-21-08.)

11 (730 ILCS 150/3)

12 Sec. 3. Duty to register.

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

1 information, extensions of the time period for registering as  
2 provided in this Article and, if an extension was granted, the  
3 reason why the extension was granted and the date the sex  
4 offender was notified of the extension. The information shall  
5 also include the county of conviction, license plate numbers  
6 for every vehicle registered in the name of the sex offender,  
7 the age of the sex offender at the time of the commission of  
8 the offense, the age of the victim at the time of the  
9 commission of the offense, and any distinguishing marks located  
10 on the body of the sex offender. A sex offender convicted under  
11 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code  
12 of 1961 shall provide all Internet protocol (IP) addresses in  
13 his or her residence, registered in his or her name, accessible  
14 at his or her place of employment, or otherwise under his or  
15 her control or custody. The sex offender or sexual predator  
16 shall register:

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

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

1        domiciled outside the City of Chicago ~~in an unincorporated~~  
2        ~~area or, if 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~~ if he or she is  
11           employed at or attends an institution of higher education  
12           in the City of Chicago; or

13           (ii) with the sheriff in the county in which he or she  
14           is employed or attends an institution of higher education  
15           if he or she is employed at or attends an institution of  
16           higher education outside the City of Chicago ~~located in an~~  
17           ~~unincorporated area, or if incorporated, no police chief~~  
18           ~~exists.~~

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

1 Any person who lacks a fixed residence must report weekly,  
2 in person, with the sheriff's office of the county in which he  
3 or she is located unless he or she is located in the City of  
4 Chicago, in which case he or she shall register at the Chicago  
5 Police Department Headquarters ~~in an unincorporated area, or~~  
6 ~~with the chief of police in the municipality in which he or she~~  
7 ~~is located.~~ The agency of jurisdiction will document each  
8 weekly registration to include all the locations where the  
9 person has stayed during the past 7 days.

10 The sex offender or sexual predator shall provide accurate  
11 information as required by the Department of State Police. That  
12 information shall include the sex offender's or sexual  
13 predator's current place of employment.

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

26 (1) with the sheriff in the county ~~chief of police in~~

1 ~~the municipality~~ in which he or she attends school or is  
2 employed for a period of time of 5 or more days or for an  
3 aggregate period of time of more than 30 days during any  
4 calendar year, unless he or she attends school or is  
5 employed for a period of time of 5 or more days or for an  
6 aggregate period of time of more than 30 days during any  
7 calendar year in ~~the municipality is~~ the City of Chicago,  
8 in which case he or she shall register at the Chicago  
9 Police Department Headquarters; or

10 (2) (blank) ~~with the sheriff in the county in which he~~  
11 ~~or she attends school or is employed for a period of time~~  
12 ~~of 5 or more days or for an aggregate period of time of~~  
13 ~~more than 30 days during any calendar year in an~~  
14 ~~unincorporated area or, if incorporated, no police chief~~  
15 ~~exists.~~

16 The out-of-state student or out-of-state employee shall  
17 provide accurate information as required by the Department of  
18 State Police. That information shall include the out-of-state  
19 student's current place of school attendance or the  
20 out-of-state employee's current place of employment.

21 (a-10) Any law enforcement agency registering sex  
22 offenders or sexual predators in accordance with subsections  
23 (a) or (a-5) of this Section shall forward to the Attorney  
24 General a copy of sex offender registration forms from persons  
25 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the  
26 Criminal Code of 1961, including periodic and annual



1 registrations under Section 6 of this Act.

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

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

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

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

20 (2.5) Except as provided in subsection (c)(4), any  
21 person who has not been notified of his or her  
22 responsibility to register shall be notified by a criminal  
23 justice entity of his or her responsibility to register.  
24 Upon notification the person must then register within 3  
25 days of notification of his or her requirement to register.  
26 If notification is not made within the offender's 10 year

1 registration requirement, and the Department of State  
2 Police determines no evidence exists or indicates the  
3 offender attempted to avoid registration, the offender  
4 will no longer be required to register under this Act.

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

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

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

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

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

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

20 (e) Within 60 days after the effective date of this  
21 amendatory Act of the 96th General Assembly, each municipal  
22 police department, other than the Chicago Police Department,  
23 that maintains sex offender registration information required  
24 to be submitted by a sex offender under this Act shall transfer  
25 that information in a manner prescribed by the Director of  
26 State Police to the office of the sheriff of the county in

1 which that police department is located.

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

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. If the law enforcement agency  
17 with whom he or she last registered is a police department  
18 located outside the City of Chicago, he or she shall report in  
19 person to the county sheriff of the county in which that police  
20 department is located. Such sexually dangerous or sexually  
21 violent person must report all new or changed e-mail addresses,  
22 all new or changed instant messaging identities, all new or  
23 changed chat room identities, and all other new or changed  
24 Internet communications identities that the sexually dangerous  
25 or sexually violent person uses or plans to use, all new or

1 changed Uniform Resource Locators (URLs) registered or used by  
2 the sexually dangerous or sexually violent person, and all new  
3 or changed blogs and other Internet sites maintained by the  
4 sexually dangerous or sexually violent person or to which the  
5 sexually dangerous or sexually violent person has uploaded any  
6 content or posted any messages or information. Any person who  
7 lacks a fixed residence must report weekly, in person, to the  
8 appropriate law enforcement agency where the sex offender is  
9 located. Any other person who is required to register under  
10 this Article shall report in person to the appropriate law  
11 enforcement agency with whom he or she last registered within  
12 one year from the date of last registration and every year  
13 thereafter and at such other times at the request of the law  
14 enforcement agency not to exceed 4 times a year. If the law  
15 enforcement agency with whom he or she last registered is a  
16 police department located outside the City of Chicago, he or  
17 she shall report in person to the county sheriff of the county  
18 in which that police department is located. 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 the law enforcement agency with  
26 whom he or she last registered is a police department located

1 outside the City of Chicago, he or she shall report in person  
2 to the county sheriff of the county in which that police  
3 department is located. If any other person required to register  
4 under this Article changes his or her residence address, place  
5 of employment, or school, he or she shall report in person to  
6 the law enforcement agency with whom he or she last registered  
7 of his or her new address, change in employment, or school, all  
8 new or changed e-mail addresses, all new or changed instant  
9 messaging identities, all new or changed chat room identities,  
10 and all other new or changed Internet communications identities  
11 that the sex offender uses or plans to use, all new or changed  
12 Uniform Resource Locators (URLs) registered or used by the sex  
13 offender, and all new or changed blogs and other Internet sites  
14 maintained by the sex offender or to which the sex offender has  
15 uploaded any content or posted any messages or information, and  
16 register, in person, with the appropriate law enforcement  
17 agency within the time period specified in Section 3. If the  
18 law enforcement agency with whom he or she last registered is a  
19 police department located outside the City of Chicago, he or  
20 she shall report in person to the county sheriff of the county  
21 in which that police department is located. The law enforcement  
22 agency shall, within 3 days of the reporting in person by the  
23 person required to register under this Article, notify the  
24 Department of State Police of the new place of residence,  
25 change in employment, or school.

26 If any person required to register under this Article

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

18 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 95-229,  
19 eff. 8-16-07; 95-331, eff. 8-21-07; 95-640, eff. 6-1-08;  
20 95-876, eff. 8-21-08.)

21 Section 10. The Sex Offender Community Notification Law is  
22 amended by changing Section 105 as follows:

23 (730 ILCS 152/105)

24 Sec. 105. Definitions. As used in this Article, the

1 following definitions apply:

2 "Child care facilities" has the meaning set forth in the  
3 Child Care Act of 1969, but does not include licensed foster  
4 homes.

5 "Law enforcement agency having jurisdiction" means the  
6 Chicago Police Department Headquarters if the sex offender  
7 expects to reside, work, or attend school in the City of  
8 Chicago ~~the Chief of Police in the municipality in which the~~  
9 ~~sex offender expects to reside~~ (1) upon his or her discharge,  
10 parole or release or (2) during the service of his or her  
11 sentence of probation or conditional discharge, or the Sheriff  
12 of the county if the sex offender intends to reside, work, or  
13 attend school outside of the City of Chicago ~~, in the event no~~  
14 ~~Police Chief exists or if the offender intends to reside in an~~  
15 ~~unincorporated~~ area. "Law enforcement agency having  
16 jurisdiction" includes the location where out-of-state  
17 students attend school and where out-of-state employees are  
18 employed or are otherwise required to register.

19 "Sex offender" means any sex offender as defined in the Sex  
20 Offender Registration Act whose offense or adjudication as a  
21 sexually dangerous person occurred on or after June 1, 1996,  
22 and whose victim was under the age of 18 at the time the  
23 offense was committed but does not include the offenses set  
24 forth in subsection (b)(1.5) of Section 2 of that Act; and any  
25 sex offender as defined in the Sex Offender Registration Act  
26 whose offense or adjudication as a sexually dangerous person



1 occurred on or after June 1, 1997, and whose victim was 18  
2 years of age or older at the time the offense was committed but  
3 does not include the offenses set forth in subsection (b)(1.5)  
4 of Section 2 of that Act.

5 "Sex offender" also means any sex offender as defined in  
6 the Sex Offender Registration Act whose offense or adjudication  
7 as a sexually dangerous person occurred before June 1, 1996,  
8 and whose victim was under the age of 18 at the time the  
9 offense was committed but does not include the offenses set  
10 forth in subsection (b)(1.5) of Section 2 of that Act; and any  
11 sex offender as defined in the Sex Offender Registration Act  
12 whose offense or adjudication as a sexually dangerous person  
13 occurred before June 1, 1997, and whose victim was 18 years of  
14 age or older at the time the offense was committed but does not  
15 include the offenses set forth in subsection (b)(1.5) of  
16 Section 2 of that Act.

17 "Juvenile sex offender" means any person who is adjudicated  
18 a juvenile delinquent as the result of the commission of or  
19 attempt to commit a violation set forth in item (B), (C), or  
20 (C-5) of Section 2 of the Sex Offender Registration Act, or a  
21 violation of any substantially similar federal, Uniform Code of  
22 Military Justice, sister state, or foreign country law, and  
23 whose adjudication occurred on or after the effective date of  
24 this amendatory Act of the 91st General Assembly.

25 (Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)