



Rep. Rich Brauer

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1 AMENDMENT TO SENATE BILL 1702

2 AMENDMENT NO. _____. Amend Senate Bill 1702 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding
5 Section 5.755 as follows:

6 (30 ILCS 105/5.755 new)

7 Sec. 5.755. The Attorney General Sex Offender Awareness,
8 Training, and Education Fund.

9 Section 10. The Sex Offender Registration Act is amended by
10 changing Section 3 as follows:

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

1 subsections (b) and (c), register in person and provide
2 accurate information as required by the Department of State
3 Police. Such information shall include a current photograph,
4 current address, current place of employment, the employer's
5 telephone number, school attended, all e-mail addresses,
6 instant messaging identities, chat room identities, and other
7 Internet communications identities that the sex offender uses
8 or plans to use, all Uniform Resource Locators (URLs)
9 registered or used by the sex offender, all blogs and other
10 Internet sites maintained by the sex offender or to which the
11 sex offender has uploaded any content or posted any messages or
12 information, extensions of the time period for registering as
13 provided in this Article and, if an extension was granted, the
14 reason why the extension was granted and the date the sex
15 offender was notified of the extension. The information shall
16 also include the county of conviction, license plate numbers
17 for every vehicle registered in the name of the sex offender,
18 the age of the sex offender at the time of the commission of
19 the offense, the age of the victim at the time of the
20 commission of the offense, and any distinguishing marks located
21 on the body of the sex offender. A sex offender convicted under
22 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code
23 of 1961 shall provide all Internet protocol (IP) addresses in
24 his or her residence, registered in his or her name, accessible
25 at his or her place of employment, or otherwise under his or
26 her control or custody. The sex offender or sexual predator

1 shall register:

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

7 (2) with the sheriff in the county in which he or she
8 resides or is temporarily domiciled for a period of time of
9 5 or more days in an unincorporated area or, if
10 incorporated, no police chief exists.

11 If the sex offender or sexual predator is employed at or
12 attends an institution of higher education, he or she shall
13 register:

14 (i) with the chief of police in the municipality in
15 which he or she is employed at or attends an institution of
16 higher education, unless the municipality is the City of
17 Chicago, in which case he or she shall register at the
18 Chicago Police Department Headquarters; or

19 (ii) with the sheriff in the county in which he or she
20 is employed or attends an institution of higher education
21 located in an unincorporated area, or if incorporated, no
22 police chief exists.

23 For purposes of this Article, the place of residence or
24 temporary domicile is defined as any and all places where the
25 sex offender resides for an aggregate period of time of 5 or
26 more days during any calendar year. Any person required to

1 register under this Article who lacks a fixed address or
2 temporary domicile must notify, in person, the agency of
3 jurisdiction of his or her last known address within 3 days
4 after ceasing to have a fixed residence.

5 Any person who lacks a fixed residence must report weekly,
6 in person, with the sheriff's office of the county in which he
7 or she is located in an unincorporated area, or with the chief
8 of police in the municipality in which he or she is located.
9 The agency of jurisdiction will document each weekly
10 registration to include all the locations where the person has
11 stayed during the past 7 days.

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

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

1 out-of-state employee shall register:

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

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

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

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

26 (b) Any sex offender, as defined in Section 2 of this Act,

1 or sexual predator, regardless of any initial, prior, or other
2 registration, shall, within 3 days of beginning school, or
3 establishing a residence, place of employment, or temporary
4 domicile in any county, register in person as set forth in
5 subsection (a) or (a-5).

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

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

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

18 (2.5) Except as provided in subsection (c)(4), any
19 person who has not been notified of his or her
20 responsibility to register shall be notified by a criminal
21 justice entity of his or her responsibility to register.
22 Upon notification the person must then register within 3
23 days of notification of his or her requirement to register.
24 If notification is not made within the offender's 10 year
25 registration requirement, and the Department of State
26 Police determines no evidence exists or indicates the

1 offender attempted to avoid registration, the offender
2 will no longer be required to register under this Act.

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

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

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

15 (6) The person shall pay a \$100 ~~\$20~~ initial
16 registration fee and a \$100 ~~\$10~~ annual renewal fee. The
17 fees shall be used by the registering agency for official
18 purposes. The agency shall establish procedures to
19 document receipt and use of the funds. The law enforcement
20 agency having jurisdiction may waive the registration fee
21 if it determines that the person is indigent and unable to
22 pay the registration fee. Thirty ~~Ten~~ dollars for the
23 initial registration fee and \$30 ~~\$5~~ of the annual renewal
24 fee shall be used by the registering agency for official
25 purposes. Ten dollars of the initial registration fee and
26 \$10 ~~\$5~~ of the annual fee shall be deposited into the Sex

1 Offender Management Board Fund under Section 19 of the Sex
2 Offender Management Board Act. Money deposited into the Sex
3 Offender Management Board Fund shall be administered by the
4 Sex Offender Management Board and shall be used to fund
5 practices endorsed or required by the Sex Offender
6 Management Board Act including but not limited to sex
7 offenders evaluation, treatment, or monitoring programs
8 that are or may be developed, as well as for administrative
9 costs, including staff, incurred by the Board. Thirty
10 dollars of the initial registration fee and \$30 of the
11 annual renewal fee shall be deposited into the Sex Offender
12 Registration Fund and shall be used by the Department of
13 State Police to maintain and update the Illinois State
14 Police Sex Offender Registry. Thirty dollars of the initial
15 registration fee and \$30 of the annual renewal fee shall be
16 deposited into the Attorney General Sex Offender
17 Awareness, Training, and Education Fund. Moneys deposited
18 into the Fund shall be used by the Attorney General to
19 administer the I-SORT program and to alert and educate the
20 public, victims, and witnesses of their rights under
21 various victim notification laws and for training law
22 enforcement agencies, State's Attorneys, and medical
23 providers of their legal duties concerning the prosecution
24 and investigation of sex offenses.

25 (d) Within 3 days after obtaining or changing employment
26 and, if employed on January 1, 2000, within 5 days after that

1 date, a person required to register under this Section must
2 report, in person to the law enforcement agency having
3 jurisdiction, the business name and address where he or she is
4 employed. If the person has multiple businesses or work
5 locations, every business and work location must be reported to
6 the law enforcement agency having jurisdiction.

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

10 Section 99. Effective date. This Act takes effect January
11 1, 2011."