

**SB3176**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB3176**

Introduced 2/9/2010, by Sen. John J. Millner

**SYNOPSIS AS INTRODUCED:**

730 ILCS 150/3

Amends the Sex Offender Registration Act. Provides that a sex offender or sexual predator must register with the appropriate law enforcement agency if the person is temporarily domiciled for 3 (rather than 5) or more days in the municipality or unincorporated area of the county. Provides that a sex offender or sexual predator who is temporarily absent from his or her current address of registration for 3 or more days shall notify the law enforcement agency having jurisdiction of his or her current registration, including the itinerary for travel, in the manner provided in the Act for notification to the law enforcement agency having jurisdiction of change of address. Effective January 1, 2011.

LRB096 17543 RLC 35246 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

**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 changing Section 3 as follows:

6 (730 ILCS 150/3)

7 Sec. 3. Duty to register.

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

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

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

19 (2) with the sheriff in the county in which he or she  
20 resides or is temporarily domiciled for a period of time of  
21 3 ~~5~~ or more days in an unincorporated area or, if  
22 incorporated, no police chief exists.

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

26 (i) with the chief of police in the municipality in

1           which he or she is employed at or attends an institution of  
2           higher education, unless the municipality is the City of  
3           Chicago, in which case he or she shall register at the  
4           Chicago Police Department Headquarters; or

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

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

17          A sex offender or sexual predator who is temporarily absent  
18          from his or her current address of registration for 3 or more  
19          days shall notify the law enforcement agency having  
20          jurisdiction of his or her current registration, including the  
21          itinerary for travel, in the manner provided in Section 6 of  
22          this Act for notification to the law enforcement agency having  
23          jurisdiction of change of address.

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

1 of police in the municipality in which he or she is located.  
2 The agency of jurisdiction will document each weekly  
3 registration to include all the locations where the person has  
4 stayed during the past 7 days.

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

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

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

1           Headquarters; or

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

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

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

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

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

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

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

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

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

26           (4) Any person unable to comply with the registration

1 requirements of this Article because he or she is confined,  
2 institutionalized, or imprisoned in Illinois on or after  
3 January 1, 1996, shall register in person within 3 days of  
4 discharge, parole or release.

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

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



1 administrative costs, including staff, incurred by the  
2 Board.

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

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

14 Section 99. Effective date. This Act takes effect January  
15 1, 2011.