

SB3293



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3293

Introduced 2/9/2010, by Sen. Tim Bivins

SYNOPSIS AS INTRODUCED:

730 ILCS 150/3

Amends the Sex Offender Registration Act. Requires a person registering as a sex offender or sexual predator to provide the Department of State Police with his or her telephone number, including cellular telephone number.

LRB096 19838 RLC 35290 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 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 sex
14 offender's or sexual predator's telephone number, including
15 cellular telephone number, the employer's telephone number,
16 school attended, all e-mail addresses, instant messaging
17 identities, chat room identities, and other Internet
18 communications identities that the sex offender uses or plans
19 to use, all Uniform Resource Locators (URLs) registered or used
20 by the sex offender, all blogs and other Internet sites
21 maintained by the sex offender or to which the sex offender has
22 uploaded any content or posted any messages or information,
23 extensions of the time period for registering as provided in

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

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

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

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

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

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

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

18 Any person who lacks a fixed residence must report weekly,
19 in person, with the sheriff's office of the county in which he
20 or she is located in an unincorporated area, or with the chief
21 of police in the municipality in which he or she is located.
22 The agency of jurisdiction will document each weekly
23 registration to include all the locations where the person has
24 stayed during the past 7 days.

25 The sex offender or sexual predator shall provide accurate
26 information as required by the Department of State Police. That

1 information shall include the sex offender's or sexual
2 predator's current place of employment.

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

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

22 (2) with the sheriff in the county in which he or she
23 attends school or is employed for a period of time of 5 or
24 more days or for an aggregate period of time of more than
25 30 days during any calendar year in an unincorporated area
26 or, if incorporated, no police chief exists.

1 The out-of-state student or out-of-state employee shall
2 provide accurate information as required by the Department of
3 State Police. That information shall include the out-of-state
4 student's current place of school attendance or the
5 out-of-state employee's current place of employment.

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

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

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

21 (1) Any person registered under the Habitual Child Sex
22 Offender Registration Act or the Child Sex Offender
23 Registration Act prior to January 1, 1996, shall be deemed
24 initially registered as of January 1, 1996; however, this
25 shall not be construed to extend the duration of
26 registration set forth in Section 7.

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

5 (2.5) Except as provided in subsection (c)(4), any
6 person who has not been notified of his or her
7 responsibility to register shall be notified by a criminal
8 justice entity of his or her responsibility to register.
9 Upon notification the person must then register within 3
10 days of notification of his or her requirement to register.
11 If notification is not made within the offender's 10 year
12 registration requirement, and the Department of State
13 Police determines no evidence exists or indicates the
14 offender attempted to avoid registration, the offender
15 will no longer be required to register under this Act.

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

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

25 (5) The person shall provide positive identification
26 and documentation that substantiates proof of residence at

1 the registering address.

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

23 (d) Within 3 days after obtaining or changing employment
24 and, if employed on January 1, 2000, within 5 days after that
25 date, a person required to register under this Section must
26 report, in person to the law enforcement agency having

1 jurisdiction, the business name and address where he or she is
2 employed. If the person has multiple businesses or work
3 locations, every business and work location must be reported to
4 the law enforcement agency having jurisdiction.

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