



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0295

Introduced 01/28/11, by Rep. Anthony DeLuca

SYNOPSIS AS INTRODUCED:

730 ILCS 150/3

Amends the Sex Offender Registration Act. Provides that a sex offender shall also register with the public safety or security director of the institution of higher education which he or she is employed at or attends. Provides that the registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

LRB097 05487 RLC 45547 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 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 a
4 copy of the terms and conditions of parole or release signed by
5 the sex offender and given to the sex offender by his or her
6 supervising officer, the county of conviction, license plate
7 numbers for every vehicle registered in the name of the sex
8 offender, the age of the sex offender at the time of the
9 commission of the offense, the age of the victim at the time of
10 the commission of the offense, and any distinguishing marks
11 located on the body of the sex offender. A sex offender
12 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the
13 Criminal Code of 1961 shall provide all Internet protocol (IP)
14 addresses in his or her residence, registered in his or her
15 name, accessible at his or her place of employment, or
16 otherwise under his or her control or custody. If the sex
17 offender is a child sex offender as defined in Section 11-9.3
18 or 11-9.4 of the Criminal Code of 1961, the sex offender shall
19 report to the registering agency whether he or she is living in
20 a household with a child under 18 years of age who is not his or
21 her own child, provided that his or her own child is not the
22 victim of the sex offense. The sex offender or sexual predator
23 shall register:

24 (1) with the chief of police in the municipality in
25 which he or she resides or is temporarily domiciled for a
26 period of time of 3 or more days, unless the municipality

1 is the City of Chicago, in which case he or she shall
2 register at the Chicago Police Department Headquarters; or

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

7 If the sex offender or sexual predator is employed at or
8 attends an institution of higher education, he or she shall
9 also register:

10 (i) with:

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

17 (B) ~~(ii) with~~ the sheriff in the county in which he
18 or she is employed or attends an institution of higher
19 education located in an unincorporated area, or if
20 incorporated, no police chief exists; and -

21 (ii) with the public safety or security director of the
22 institution of higher education which he or she is employed
23 at or attends.

24 The registration fees shall only apply to the municipality
25 or county of primary registration, and not to campus
26 registration.

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

9 A sex offender or sexual predator who is temporarily absent
10 from his or her current address of registration for 3 or more
11 days shall notify the law enforcement agency having
12 jurisdiction of his or her current registration, including the
13 itinerary for travel, in the manner provided in Section 6 of
14 this Act for notification to the law enforcement agency having
15 jurisdiction of change of address.

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

23 The sex offender or sexual predator shall provide accurate
24 information as required by the Department of State Police. That
25 information shall include the sex offender's or sexual
26 predator's current place of employment.

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

13 (1) with:

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

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

1 (2) with the public safety or security director of the
2 institution of higher education he or she is employed at or
3 attends for a period of time of 5 or more days or for an
4 aggregate period of time of more than 30 days during a
5 calendar year.

6 The registration fees shall only apply to the municipality
7 or county of primary registration, and not to campus
8 registration.

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

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

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

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

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

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

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

24 (3) Except as provided in subsection (c)(4), any person
25 convicted on or after January 1, 1996, shall register in
26 person within 3 days after the entry of the sentencing

1 order based upon his or her conviction.

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

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

10 (6) The person shall pay a \$100 initial registration
11 fee and a \$100 annual renewal fee. The fees shall be used
12 by the registering agency for official purposes. The agency
13 shall establish procedures to document receipt and use of
14 the funds. The law enforcement agency having jurisdiction
15 may waive the registration fee if it determines that the
16 person is indigent and unable to pay the registration fee.
17 Thirty dollars for the initial registration fee and \$30 of
18 the annual renewal fee shall be used by the registering
19 agency for official purposes. Ten dollars of the initial
20 registration fee and \$10 of the annual fee shall be
21 deposited into the Sex Offender Management Board Fund under
22 Section 19 of the Sex Offender Management Board Act. Money
23 deposited into the Sex Offender Management Board Fund shall
24 be administered by the Sex Offender Management Board and
25 shall be used to fund practices endorsed or required by the
26 Sex Offender Management Board Act including but not limited

1 to sex offenders evaluation, treatment, or monitoring
2 programs that are or may be developed, as well as for
3 administrative costs, including staff, incurred by the
4 Board. Thirty dollars of the initial registration fee and
5 \$30 of the annual renewal fee shall be deposited into the
6 Sex Offender Registration Fund and shall be used by the
7 Department of State Police to maintain and update the
8 Illinois State Police Sex Offender Registry. Thirty
9 dollars of the initial registration fee and \$30 of the
10 annual renewal fee shall be deposited into the Attorney
11 General Sex Offender Awareness, Training, and Education
12 Fund. Moneys deposited into the Fund shall be used by the
13 Attorney General to administer the I-SORT program and to
14 alert and educate the public, victims, and witnesses of
15 their rights under various victim notification laws and for
16 training law enforcement agencies, State's Attorneys, and
17 medical providers of their legal duties concerning the
18 prosecution and investigation of sex offenses.

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

1 (Source: P.A. 95-229, eff. 8-16-07; 95-579, eff. 6-1-08;
2 95-640, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.
3 8-21-08; 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11; 96-1097,
4 eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff. 1-1-11;
5 revised 9-2-10.)