



Rep. Dena M. Carli

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1 AMENDMENT TO HOUSE BILL 4393

2 AMENDMENT NO. _____. Amend House Bill 4393 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Gun
5 Offender Registration Act.

6 Section 5. Definitions.

7 (a) For purposes of this Section, "convicted" shall have
8 the same meaning as "adjudicated".

9 (b) As used in this Act, "gun offender" means any person
10 who is:

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

16 (A) is convicted of the offense or an attempt to

1 commit the offense; or

2 (B) is found not guilty by reason of insanity of
3 the offense or an attempt to commit the offense; or

4 (C) is found not guilty by reason of insanity under
5 subsection (c) of Section 104-25 of the Code of
6 Criminal Procedure of 1963 of the offense or an attempt
7 to commit the offense; or

8 (D) is the subject of a finding not resulting in an
9 acquittal at a hearing conducted under subsection (a)
10 of Section 104-25 of the Code of Criminal Procedure of
11 1963 for the alleged commission or attempted
12 commission of the offense; or

13 (E) is found not guilty by reason of insanity
14 following a hearing conducted under a federal, Uniform
15 Code of Military Justice, sister state, or foreign
16 country law substantially similar to subsection (c) of
17 Section 104-25 of the Code of Criminal Procedure of
18 1963 of the offense or of the attempted commission of
19 the offense; or

20 (F) is the subject of a finding not resulting in an
21 acquittal at a hearing conducted under a federal,
22 Uniform Code of Military Justice, sister state, or
23 foreign country law substantially similar to
24 subsection (c) of Section 104-25 of the Code of
25 Criminal Procedure of 1963 for the alleged violation or
26 attempted violation of the offense; or

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

13 Convictions that result from or are connected with the same
14 act, or result from offenses committed at the same time, shall
15 be counted for the purpose of this Act as one conviction. A
16 conviction set aside pursuant to law is not a conviction for
17 purposes of this Act.

18 For the purposes of this Act, a person who is defined as a
19 gun offender as a result of being adjudicated a juvenile
20 delinquent under paragraph (2) of this subsection (b) upon
21 attaining 17 years of age shall be considered as having
22 committed the gun offense on or after the 17th birthday of the
23 gun offender. Registration of juveniles upon attaining 17 years
24 of age shall not extend the original registration of 10 years
25 from the date of conviction.

26 (c) As used in this Act, "gun offense" means a violation of

1 any of the following Sections of the Criminal Code of 1961 when
2 the offense involves the manufacture, sale, transfer,
3 carrying, use, or possession of a firearm:

4 12-2(c) (2), (c) (3), and (c) (6) (aggravated assault),

5 12-3.05(e) (aggravated battery),

6 18-2(a) (2), (a) (3), and (a) (4) (armed robbery),

7 18-4(a) (3), (a) (4), (a) (5), and (a) (6) (aggravated
8 vehicular hijacking),

9 24-1 (unlawful use of weapons),

10 24-1.1 (unlawful use or possession of weapons by felons
11 or persons in the custody of the Department of Corrections
12 facilities),

13 24-1.2 (aggravated discharge of a firearm),

14 24-1.2-5 (aggravated discharge of a machine gun or a
15 firearm equipped with a device designed or used for
16 silencing a firearm),

17 24-1.5 (reckless discharge of a firearm),

18 24-1.6 (aggravated unlawful use of a weapon),

19 24-1.7 (being an armed habitual criminal),

20 24-1.8 (unlawful possession of a firearm by a street
21 gang member),

22 24-3 (unlawful sale of firearms),

23 24-3.1 (unlawful possession of firearms or firearm
24 ammunition),

25 24-3.3 (unlawful sale or delivery of firearms on the
26 premises of any school),

1 24-3.4 (unlawful sale of firearms by liquor licensee),
2 24-3.5 (unlawful purchase of a firearm),
3 24-3.6 (unlawful use of a firearm in the shape of a
4 wireless telephone),
5 24-3.7 (use of a stolen firearm in the commission of an
6 offense),
7 24-3A (gunrunning), and
8 33A-2 (armed violence).

9 A conviction for an offense of federal law, Uniform Code of
10 Military Justice, or the law of another state or a foreign
11 country that is substantially equivalent to any offense listed
12 in this subsection shall constitute a conviction for the
13 purpose of this Act.

14 (d) As used in this Act, "law enforcement agency having
15 jurisdiction" means the chief of police in each of the
16 municipalities in which the gun offender expects to reside,
17 work, or attend school (1) upon his or her discharge, parole or
18 release or (2) during the service of his or her sentence of
19 probation or conditional discharge, or the Sheriff of the
20 county, in the event no chief of police exists or if the
21 offender intends to reside, work, or attend school in an
22 unincorporated area. "Law enforcement agency having
23 jurisdiction" includes the location where out-of-state
24 students attend school and where out-of-state employees are
25 employed or are otherwise required to register.

26 (e) As used in this Act, "supervising officer" means the

1 assigned Illinois Department of Corrections parole agent or
2 county probation officer.

3 (f) As used in this Act, "out-of-state student" means a gun
4 offender who is enrolled in Illinois, on a full-time or
5 part-time basis, in any public or private educational
6 institution, including, but not limited to, any secondary
7 school, trade or professional institution, or institution of
8 higher learning.

9 (g) As used in this Act, "out-of-state employee" means a
10 gun offender who works in Illinois, regardless of whether the
11 individual receives payment for services performed, for a
12 period of time of 10 or more days or for an aggregate period of
13 time of 30 or more days during any calendar year. Persons who
14 operate motor vehicles in the State accrue one day of
15 employment time for any portion of a day spent in Illinois.

16 (h) As used in this Act, "school" means a public or private
17 educational institution, including, but not limited to, an
18 elementary or secondary school, trade or professional
19 institution, or institution of higher education.

20 (i) As used in this Act, "fixed residence", "resides",
21 "place of residence", or "temporary domicile" means any and all
22 places that a gun offender resides for an aggregate period of
23 time of 5 or more days in a calendar year.

24 Section 10. Duty to register.

25 (a) A gun offender shall, within the time period prescribed

1 in subsections (b) and (c), register in person and provide
2 accurate information as required by the Department of State
3 Police. The information shall include a current photograph,
4 current address, current place of employment, the employer's
5 telephone number, school attended, extensions of the time
6 period for registering as provided in this Act and, if an
7 extension was granted, the reason why the extension was granted
8 and the date the gun offender was notified of the extension. A
9 person who has been adjudicated a juvenile delinquent for an
10 act which, if committed by an adult, would be a gun offense
11 shall register as an adult gun offender within 10 days after
12 attaining 17 years of age. The gun offender shall register:

13 (1) with the chief of police in the municipality in
14 which he or she resides or is temporarily domiciled, unless
15 the municipality is the City of Chicago, in which case he
16 or she shall register at the Chicago Police Department
17 Headquarters; or

18 (2) with the sheriff in the county in which he or she
19 resides or is temporarily domiciled in an unincorporated
20 area or, if incorporated, no chief of police exists.

21 If the gun offender is employed at or attends an
22 institution of higher education, he or she shall register:

23 (i) with the chief of police in the municipality in
24 which he or she is employed at or attends an institution of
25 higher education, unless the municipality is the City of
26 Chicago, in which case he or she shall register at the

1 Chicago Police Department Headquarters; or

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

6 A person required to register under this Act who lacks a
7 fixed residence or temporary domicile must notify, in person,
8 the law enforcement agency having jurisdiction of his or her
9 last known address within 5 days after ceasing to have a fixed
10 residence.

11 A person who lacks a fixed residence must report weekly, in
12 person, with the sheriff's office of the county in which he or
13 she is located in an unincorporated area, or with the chief of
14 police in the municipality in which he or she is located. The
15 law enforcement agency having jurisdiction will document each
16 weekly registration to include all the locations where the
17 person has stayed during the past 7 days.

18 (a-5) An out-of-state student or out-of-state employee
19 shall, within 5 days after beginning school or employment in
20 this State, register in person and provide accurate information
21 as required by the Department of State Police. The information
22 shall include current place of employment, school attended, and
23 address in state of residence. The out-of-state student or
24 out-of-state employee shall register:

25 (1) with the chief of police in the municipality in
26 which he or she attends school or is employed for a period

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

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

11 (b) A gun offender regardless of any initial, prior, or
12 other registration, shall, within 5 days of beginning school,
13 or establishing a residence, place of employment, or temporary
14 domicile in any county, register in person as set forth in
15 subsection (a) or (a-5).

16 (c) The registration for a person required to register
17 under this Act shall be as follows:

18 (1) Except as provided in paragraph (3) of this
19 subsection (c), a person who has not been notified of his
20 or her responsibility to register shall be notified by a
21 criminal justice entity of his or her responsibility to
22 register. Upon notification the person must then register
23 within 5 days of notification of his or her requirement to
24 register. If notification is not made within the offender's
25 10 year registration requirement, and the Department of
26 State 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 (2) Except as provided in paragraph (3) of this
4 subsection (c), a person convicted on or after the
5 effective date of this Act shall register in person within
6 5 days after the entry of the sentencing order based upon
7 his or her conviction.

8 (3) A person unable to comply with the registration
9 requirements of this Act because he or she is confined,
10 institutionalized, or imprisoned in Illinois on or after
11 the effective date of this Act shall register in person
12 within 5 days of discharge, parole or release.

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

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

25 (d) Within 5 days after obtaining or changing employment, a
26 person required to register under this Section must report, in

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

6 Section 15. Discharge of gun offender from Department of
7 Corrections facility or other penal institution; duties of
8 official in charge. A gun offender who is discharged, paroled,
9 or released from a Department of Corrections facility, a
10 facility where the person was placed by the Department of
11 Corrections or another penal institution, and whose liability
12 for registration has not been terminated under Section 40
13 shall, prior to discharge, parole or release from the facility
14 or institution, be informed of his or her duty to register in
15 person within 5 days of release by the facility or institution
16 in which he or she was confined.

17 The facility shall require the person to read and sign the
18 form as may be required by the Department of State Police
19 stating that the duty to register and the procedure for
20 registration has been explained to him or her and that he or
21 she understands the duty to register and the procedure for
22 registration. The facility shall further advise the person in
23 writing that the failure to register or other violation of this
24 Act shall result in revocation of parole, mandatory supervised
25 release or conditional release. The facility shall obtain

1 information about where the person expects to reside, work, and
2 attend school upon his or her discharge, parole or release and
3 shall report the information to the Department of State Police.
4 The facility shall give one copy of the form to the person and
5 shall send one copy to each of the law enforcement agencies
6 having jurisdiction where the person expects to reside, work,
7 and attend school upon his or her discharge, parole or release
8 and retain one copy for the files. Electronic data files which
9 includes all notification form information and photographs of
10 gun offenders being released from an Illinois Department of
11 Corrections facility will be shared on a regular basis as
12 determined between the Department of State Police and the
13 Department of Corrections.

14 Section 20. Release of gun offender; duties of the court. A
15 gun offender who is released on probation, conditional
16 discharge, or discharged upon payment of a fine because of the
17 commission of one of the offenses defined in subsection (c) of
18 Section 5 of this Act, shall, prior to the release be informed
19 of his or her duty to register under this Act by the court in
20 which he or she was convicted. The court shall require the
21 person to read and sign the form as may be required by the
22 Department of State Police stating that the duty to register
23 and the procedure for registration has been explained to him or
24 her and that he or she understands the duty to register and the
25 procedure for registration. The court shall further advise the

1 person in writing that the failure to register or other
2 violation of this Act shall result in probation or conditional
3 discharge revocation. The court shall obtain information about
4 where the person expects to reside, work, and attend school
5 upon his or her release, and shall report the information to
6 the Department of State Police. The court shall give one copy
7 of the form to the person and retain the original in the court
8 records. The Department of State Police shall notify the law
9 enforcement agencies having jurisdiction where the person
10 expects to reside, work and attend school upon his or her
11 release.

12 Section 25. Discharge of gun offender from a hospital or
13 other treatment facility; duties of the official in charge. A
14 gun offender who is discharged or released from a hospital or
15 other treatment facility where he or she was confined shall be
16 informed by the hospital or treatment facility in which he or
17 she was confined, prior to discharge or release from the
18 hospital or treatment facility, of his or her duty to register
19 under this Act.

20 The facility shall require the person to read and sign the
21 form as may be required by the Department of State Police
22 stating that the duty to register and the procedure for
23 registration have been explained to him or her and that he or
24 she understands the duty to register and the procedure for
25 registration. The facility shall give one copy of the form to

1 the person, retain one copy for its records, and forward the
2 original to the Department of State Police. The facility shall
3 obtain information about where the person expects to reside,
4 work, and attend school upon his or her discharge, parole, or
5 release and shall report the information to the Department of
6 State Police within 3 days. The Department of State Police
7 shall notify the law enforcement agencies having jurisdiction
8 where the person expects to reside, work, and attend school
9 upon his or her release.

10 Section 30. Duty to report; change of address, school, or
11 employment; duty to inform. A gun offender who is required to
12 register under this Act shall report in person to the
13 appropriate law enforcement agency with whom he or she last
14 registered within one year from the date of last registration
15 and every year thereafter and at such other times at the
16 request of the law enforcement agency not to exceed 4 times a
17 year. If a person required to register under this Act lacks a
18 fixed residence or temporary domicile, he or she must notify,
19 in person, the law enforcement agency having jurisdiction of
20 his or her last known address within 5 days after ceasing to
21 have a fixed residence and if the offender leaves the last
22 jurisdiction of residence, he or she must, within 48 hours
23 after leaving, register in person with the new law enforcement
24 agency having jurisdiction. If a person required to register
25 under this Act changes his or her residence address, place of

1 employment, or school, he or she shall report the change in
2 person to the law enforcement agency with whom he or she last
3 registered within the time period specified in Section 10. The
4 law enforcement agency shall, within 3 days of the reporting by
5 the person required to register under this Act, notify the
6 Department of State Police of the new place of residence,
7 change in employment, or school.

8 Section 35. Out-of-State employee or student; duty to
9 report change. An out-of-state student or out-of-state
10 employee must notify the law enforcement agency having
11 jurisdiction of any change of employment or change of
12 educational status, in writing, within 5 days of the change.
13 The law enforcement agency shall, within 3 days after receiving
14 the notice, enter the appropriate changes into LEADS.

15 Section 40. Duration of registration. A person who becomes
16 subject to registration under this Act who has previously been
17 subject to registration under this Act or under the Sex
18 Offender Registration Act, the Arsonist Registration Act, or
19 the Murderer and Violent Offender Against Youth Registration
20 Act or similar registration requirements of other
21 jurisdictions shall register for the period of his or her
22 natural life if not confined to a penal institution, hospital,
23 or other institution or facility, and if confined, for the
24 period of his or her natural life after parole, discharge, or

1 release from that facility. A person who is required to
2 register under this Act shall be required to register for a
3 period of 10 years after conviction or adjudication if not
4 confined to a penal institution, hospital or any other
5 institution or facility, and if confined, for a period of 10
6 years after parole, discharge or release from that facility. A
7 gun offender who is allowed to leave a county, State, or
8 federal facility for the purposes of work release, education,
9 or overnight visitations shall be required to register within 5
10 days of beginning the program. Liability for registration
11 terminates at the expiration of 10 years from the date of
12 conviction or adjudication if not confined to a penal
13 institution, hospital or any other institution or facility and
14 if confined, at the expiration of 10 years from the date of
15 parole, discharge or release from that facility, providing the
16 person does not, during that period, again become liable to
17 register under the provisions of this Act. Reconfinement due to
18 a violation of parole, mandatory supervised release, or other
19 circumstances that relates to the original conviction or
20 adjudication shall extend the period of registration to 10
21 years after final parole, discharge, or release. The Director
22 of State Police, consistent with administrative rules, shall
23 extend for 10 years the registration period of a gun offender
24 who fails to comply with the provisions of this Act. The
25 registration period for a gun offender who fails to comply with
26 any provision of the Act shall extend the period of

1 registration by 10 years beginning from the first date of
2 registration after the violation. If the registration period is
3 extended, the Department of State Police shall send a
4 registered letter to the law enforcement agency where the gun
5 offender resides within 3 days after the extension of the
6 registration period. The gun offender shall report to that law
7 enforcement agency and sign for that letter. One copy of that
8 letter shall be kept on file with the law enforcement agency of
9 the jurisdiction where the gun offender resides and one copy
10 shall be returned to the Department of State Police.

11 Section 45. Registration requirements. Registration as
12 required by this Act shall consist of a statement in writing
13 signed by the person giving the information that is required by
14 the Department of State Police, which may include the
15 fingerprints and must include a current photograph of the
16 person, to be updated annually. The registration information
17 must include whether the person is a gun offender. Within 3
18 days, the registering law enforcement agency shall forward the
19 required information to the Department of State Police. The
20 registering law enforcement agency shall enter the information
21 into the Law Enforcement Agencies Data System (LEADS) as
22 provided in Sections 6 and 7 of the Intergovernmental Missing
23 Child Recovery Act of 1984.

24 Section 50. Verification requirements.

1 (a) The law enforcement agency having jurisdiction shall
2 verify the address of gun offenders required to register with
3 their agency at least once per year. The verification must be
4 documented in LEADS in the form and manner required by the
5 Department of State Police.

6 (b) The supervising officer shall, within 15 days of
7 sentencing to probation, conditional discharge, or release
8 from an Illinois Department of Corrections facility, contact
9 the law enforcement agency in the jurisdiction which the gun
10 offender designated as his or her intended residence and verify
11 compliance with the requirements of this Act. Revocation
12 proceedings shall be immediately commenced against a gun
13 offender on probation, conditional discharge, parole, or
14 mandatory supervised release who fails to comply with the
15 requirements of this Act.

16 Section 55. Public inspection of registration data. Except
17 as provided in the Gun Offender Notification Law, the
18 statements or any other information required by this Act shall
19 not be open to inspection by the public, or by any person other
20 than by a law enforcement officer or other individual as may be
21 authorized by law and shall include law enforcement agencies of
22 this State, any other state, or of the federal government.
23 Similar information may be requested from any law enforcement
24 agency of another state or of the federal government for
25 purposes of this Act. It is a Class B misdemeanor to permit the

1 unauthorized release of information required by this Act.

2 Section 60. Penalty. A person who is required to register
3 under this Act who violates any of the provisions of this Act
4 and a person who is required to register under this Act who
5 seeks to change his or her name under Article 21 of the Code of
6 Civil Procedure is guilty of a Class 3 felony. A person who is
7 convicted for a violation of this Act for a second or
8 subsequent time is guilty of a Class 2 felony. A person who is
9 required to register under this Act who knowingly gives
10 material information required by this Act that is false is
11 guilty of a Class 3 felony. A person convicted of a violation
12 of any provision of this Act shall, in addition to any other
13 penalty required by law, be required to serve a minimum period
14 of 7 days confinement in the local county jail. The court shall
15 impose a mandatory minimum fine of \$500 for failure to comply
16 with any provision of this Act. These fines shall be deposited
17 into the Gun Offender Registration Fund. A gun offender who
18 violates any provision of this Act may be arrested and tried in
19 any Illinois county where the gun offender can be located. The
20 local police department or sheriff's office is not required to
21 determine whether the person is living within its jurisdiction.

22 Section 65. Gun Offender Registration Fund. There is
23 created in the State treasury the Gun Offender Registration
24 Fund. Moneys in the Fund shall be used to cover costs incurred

1 by the criminal justice system to administer this Act. The
2 Department of State Police shall establish and promulgate rules
3 and procedures regarding the administration of this Fund. Fifty
4 percent of the moneys in the Fund shall be allocated by the
5 Department for sheriffs' offices and police departments. The
6 remaining moneys in the Fund shall be allocated to the
7 Department of State Police for education and administration of
8 this Act.

9 Section 70. Access to State of Illinois databases. The
10 Department of State Police shall have access to State of
11 Illinois databases containing information that may help in the
12 identification or location of persons required to register
13 under this Act. Interagency agreements shall be implemented,
14 consistent with security and procedures established by the
15 State agency and consistent with the laws governing the
16 confidentiality of the information in the databases.
17 Information shall be used only for administration of this Act.

18 Section 75. Gun Offender Community Notification Law.
19 Sections 75 through 100 of this Act may be cited as the Gun
20 Offender Community Notification Law.

21 Section 80. Definition. As used in Sections 75 through 105,
22 the following definitions apply:

23 "Child care facilities" has the meaning set forth in the

1 Child Care Act of 1969, but does not include licensed foster
2 homes.

3 Section 85. Statewide Gun Offender Database.

4 (a) The Department of State Police shall establish and
5 maintain a Statewide Gun Offender Database for the purpose of
6 identifying gun offenders and making that information
7 available to the persons specified in Section 95. The Database
8 shall be created from the Law Enforcement Agencies Data System
9 (LEADS) established under Section 6 of the Intergovernmental
10 Missing Child Recovery Act of 1984. The Department of State
11 Police shall examine its LEADS database for persons registered
12 as gun offenders under this Act and shall identify those who
13 are gun offenders and shall add all the information, including
14 photographs if available, on those gun offenders to the
15 Statewide Gun Offender Database.

16 (b) The Department of State Police must make the
17 information contained in the Statewide Statewide Gun Offender
18 Database accessible on the Internet by means of a hyperlink
19 labeled "Statewide Gun Offender Information" on the
20 Department's World Wide Web home page. The Department of State
21 Police must update that information as it deems necessary.

22 The Department of State Police may require that a person
23 who seeks access to the gun offender information submit
24 biographical information about himself or herself before
25 permitting access to the gun offender information. The

1 Department of State Police must promulgate rules in accordance
2 with the Illinois Administrative Procedure Act to implement
3 this subsection (b) and those rules must include procedures to
4 ensure that the information in the database is accurate.

5 (c) The Department of State Police must develop and conduct
6 training to educate all those entities involved in the Gun
7 Offender Registration Program.

8 (d) The Department of State Police shall commence the
9 duties prescribed in the Gun Offender Registration Act within
10 12 months after the effective date of this Act.

11 Section 90. List of gun offenders; list of facilities,
12 schools, and institutions of higher education. The Department
13 of State Police shall promulgate rules to develop a list of gun
14 offenders covered by this Act and a list of child care
15 facilities, schools, and institutions of higher education
16 eligible to receive notice under this Act, so that the list can
17 be disseminated in a timely manner to law enforcement agencies
18 having jurisdiction.

19 Section 95. Community notification of gun offenders.

20 (a) The sheriff of the county, except Cook County, shall
21 disclose to the following the name, address, date of birth,
22 place of employment, school attended, and offense or
23 adjudication of all gun offenders required to register under
24 Section 10 of this Act:

1 (1) The boards of institutions of higher education or
2 other appropriate administrative offices of each
3 non-public institution of higher education located in the
4 county where the gun offender is required to register,
5 resides, is employed, or is attending an institution of
6 higher education; and

7 (2) School boards of public school districts and the
8 principal or other appropriate administrative officer of
9 each nonpublic school located in the county where the gun
10 offender is required to register or is employed; and

11 (3) Child care facilities located in the county where
12 the gun offender is required to register or is employed;
13 and

14 (4) Libraries located in the county where the gun
15 offender is required to register or is employed.

16 (a-2) The sheriff of Cook County shall disclose to the
17 following the name, address, date of birth, place of
18 employment, school attended, and offense or adjudication of all
19 gun offenders required to register under Section 10 of this
20 Act:

21 (1) School boards of public school districts and the
22 principal or other appropriate administrative officer of
23 each nonpublic school located within the region of Cook
24 County, as those public school districts and nonpublic
25 schools are identified in LEADS, other than the City of
26 Chicago, where the gun offender is required to register or

1 is employed; and

2 (2) Child care facilities located within the region of
3 Cook County, as those child care facilities are identified
4 in LEADS, other than the City of Chicago, where the gun
5 offender is required to register or is employed; and

6 (3) The boards of institutions of higher education or
7 other appropriate administrative offices of each
8 non-public institution of higher education located in the
9 county, other than the City of Chicago, where the gun
10 offender is required to register, resides, is employed, or
11 attending an institution of higher education; and

12 (4) Libraries located in the county, other than the
13 City of Chicago, where the gun offender is required to
14 register, resides, is employed, or is attending an
15 institution of higher education.

16 (a-3) The Chicago Police Department shall disclose to the
17 following the name, address, date of birth, place of
18 employment, school attended, and offense or adjudication of all
19 gun offenders required to register under Section 10 of this
20 Act:

21 (1) School boards of public school districts and the
22 principal or other appropriate administrative officer of
23 each nonpublic school located in the police district where
24 the gun offender is required to register or is employed if
25 the offender is required to register or is employed in the
26 City of Chicago; and

1 (2) Child care facilities located in the police
2 district where the gun offender is required to register or
3 is employed if the offender is required to register or is
4 employed in the City of Chicago; and

5 (3) The boards of institutions of higher education or
6 other appropriate administrative offices of each
7 non-public institution of higher education located in the
8 police district where the gun offender is required to
9 register, resides, is employed, or attending an
10 institution of higher education in the City of Chicago; and

11 (4) Libraries located in the police district where the
12 gun offender is required to register or is employed if the
13 offender is required to register or is employed in the City
14 of Chicago.

15 (a-4) The Department of State Police shall provide a list
16 of gun offenders required to register to the Illinois
17 Department of Children and Family Services.

18 (b) The Department of State Police and any law enforcement
19 agency may disclose, in the Department's or agency's
20 discretion, the following information to any person likely to
21 encounter a gun offender:

22 (1) The offender's name, address, and date of birth.

23 (2) The offense for which the offender was convicted.

24 (3) The offender's photograph or other information
25 that will help identify the gun offender.

26 (4) Offender employment information, to protect public

1 safety.

2 (c) The name, address, date of birth, and offense or
3 adjudication for gun offenders required to register under
4 Section 10 of this Act shall be open to inspection by the
5 public as provided in this Section. Every municipal police
6 department shall make available at its headquarters the
7 information on all gun offenders who are required to register
8 in the municipality under this Act. The sheriff shall also make
9 available at his or her headquarters the information on all gun
10 offenders who are required to register under this Act and who
11 live in unincorporated areas of the county. Gun offender
12 information must be made available for public inspection to any
13 person, no later than 72 hours or 3 business days from the date
14 of the request. The request must be made in person, in writing,
15 or by telephone. Availability must include giving the inquirer
16 access to a facility where the information may be copied. A
17 department or sheriff may charge a fee, but the fee may not
18 exceed the actual costs of copying the information. An inquirer
19 must be allowed to copy this information in his or her own
20 handwriting. A department or sheriff must allow access to the
21 information during normal public working hours. The sheriff or
22 a municipal police department may publish the photographs of
23 gun offenders where any victim was 13 years of age or younger
24 and who are required to register in the municipality or county
25 under this Act in a newspaper or magazine of general
26 circulation in the municipality or county or may disseminate

1 the photographs of those gun offenders on the Internet or on
2 television. The law enforcement agency may make available the
3 information on all gun offenders residing within any county.

4 (d) The Department of State Police and any law enforcement
5 agency having jurisdiction may, in the Department's or agency's
6 discretion, place the information specified in subsection (b)
7 on the Internet or in other media.

8 Section 100. Notification regarding juvenile offenders.

9 (a) The Department of State Police and any law enforcement
10 agency having jurisdiction may, in the Department's or agency's
11 discretion, only provide the information specified in
12 subsection (b) of Section 95, with respect to an adjudicated
13 juvenile delinquent, to any person when that person's safety
14 may be compromised for some reason related to the juvenile gun
15 offender.

16 (b) The local law enforcement agency having jurisdiction to
17 register the juvenile gun offender shall ascertain from the
18 juvenile gun offender whether the juvenile gun offender is
19 enrolled in school; and if so, shall provide a copy of the gun
20 offender registration form only to the principal or chief
21 administrative officer of the school and any guidance counselor
22 designated by him or her. The registration form shall be kept
23 separately from any and all school records maintained on behalf
24 of the juvenile gun offender.

1 Section 1005. The State Finance Act is amended by adding
2 Section 5.811 as follows:

3 (30 ILCS 105/5.811 new)

4 Sec. 5.811. The Gun Offender Registration Fund.

5 Section 1010. The Code of Civil Procedure is amended by
6 changing Section 21-101 as follows:

7 (735 ILCS 5/21-101) (from Ch. 110, par. 21-101)

8 Sec. 21-101. Proceedings; parties. If any person who is a
9 resident of this State and has resided in this State for 6
10 months desires to change his or her name and to assume another
11 name by which to be afterwards called and known, the person may
12 file a petition in the circuit court of the county wherein he
13 or she resides praying for that relief. If it appears to the
14 court that the conditions hereinafter mentioned have been
15 complied with and that there is no reason why the prayer should
16 not be granted, the court, by an order to be entered of record,
17 may direct and provide that the name of that person be changed
18 in accordance with the prayer in the petition. The filing of a
19 petition in accordance with this Section shall be the sole and
20 exclusive means by which any person committed under the laws of
21 this State to a penal institution may change his or her name
22 and assume another name. However, any person convicted of a
23 felony in this State or any other state who has not been

1 pardoned may not file a petition for a name change until 10
2 years have passed since completion and discharge from his or
3 her sentence. A person who has been convicted of identity
4 theft, aggravated identity theft, felony or misdemeanor
5 criminal sexual abuse when the victim of the offense at the
6 time of its commission is under 18 years of age, felony or
7 misdemeanor sexual exploitation of a child, felony or
8 misdemeanor indecent solicitation of a child, or felony or
9 misdemeanor indecent solicitation of an adult, or any other
10 offense for which a person is required to register under the
11 Sex Offender Registration Act, the Murderer and Violent
12 Offender Against Youth Registration Act, or the Gun Offender
13 Registration Act in this State or any other state who has not
14 been pardoned shall not be permitted to file a petition for a
15 name change in the courts of Illinois. A petitioner may include
16 his or her spouse and adult unmarried children, with their
17 consent, and his or her minor children where it appears to the
18 court that it is for their best interest, in the petition and
19 prayer, and the court's order shall then include the spouse and
20 children. Whenever any minor has resided in the family of any
21 person for the space of 3 years and has been recognized and
22 known as an adopted child in the family of that person, the
23 application herein provided for may be made by the person
24 having that minor in his or her family.

25 An order shall be entered as to a minor only if the court
26 finds by clear and convincing evidence that the change is

1 necessary to serve the best interest of the child. In
2 determining the best interest of a minor child under this
3 Section, the court shall consider all relevant factors,
4 including:

5 (1) The wishes of the child's parents and any person
6 acting as a parent who has physical custody of the child.

7 (2) The wishes of the child and the reasons for those
8 wishes. The court may interview the child in chambers to
9 ascertain the child's wishes with respect to the change of
10 name. Counsel shall be present at the interview unless
11 otherwise agreed upon by the parties. The court shall cause
12 a court reporter to be present who shall make a complete
13 record of the interview instantaneously to be part of the
14 record in the case.

15 (3) The interaction and interrelationship of the child
16 with his or her parents or persons acting as parents who
17 have physical custody of the child, step-parents,
18 siblings, step-siblings, or any other person who may
19 significantly affect the child's best interest.

20 (4) The child's adjustment to his or her home, school,
21 and community.

22 (Source: P.A. 94-944, eff. 1-1-07.)".