



Sen. Ronald Sandack

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1 AMENDMENT TO SENATE BILL 2270

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2270 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Child Murderer and Violent Offender Against  
5 Youth Registration Act is amended by changing Section 5 as  
6 follows:

7 (730 ILCS 154/5)

8 Sec. 5. Definitions.

9 (a) As used in this Act, "violent offender against youth"  
10 means any person who is:

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

1 (A) is convicted of such offense or an attempt to  
2 commit such offense; or

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

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

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

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

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

1           attempted commission of such offense; or

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

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

20          For purposes of this Section, "convicted" shall have the  
21          same meaning as "adjudicated". For the purposes of this Act, a  
22          person who is defined as a violent offender against youth as a  
23          result of being adjudicated a juvenile delinquent under  
24          paragraph (2) of this subsection (a) upon attaining 17 years of  
25          age shall be considered as having committed the violent offense  
26          against youth on or after the 17th birthday of the violent

1 offender against youth. Registration of juveniles upon  
2 attaining 17 years of age shall not extend the original  
3 registration of 10 years from the date of conviction.

4 (b) As used in this Act, "violent offense against youth"  
5 means:

6 (1) A violation of any of the following Sections of the  
7 Criminal Code of 1961, when the victim is a person under 18  
8 years of age and the offense was committed on or after  
9 January 1, 1996:

10 10-1 (kidnapping),

11 10-2 (aggravated kidnapping),

12 10-3 (unlawful restraint),

13 10-3.1 (aggravated unlawful restraint). 7

14 ~~12-3.2 (domestic battery),~~

15 ~~12-3.3 (aggravated domestic battery),~~

16 ~~12-4 (aggravated battery),~~

17 ~~12-4.1 (heinous battery),~~

18 ~~12-4.3 (aggravated battery of a child),~~

19 ~~12-4.4 (aggravated battery of an unborn child),~~

20 ~~12-33 (ritualized abuse of a child).~~

21 An attempt to commit any of these offenses.

22 (2) First degree murder under Section 9-1 of the  
23 Criminal Code of 1961, when the victim was a person under  
24 18 years of age and the defendant was at least 17 years of  
25 age at the time of the commission of the offense.

26 (3) Child abduction under paragraph (10) of subsection

1 (b) of Section 10-5 of the Criminal Code of 1961 committed  
2 by luring or attempting to lure a child under the age of 16  
3 into a motor vehicle, building, house trailer, or dwelling  
4 place without the consent of the parent or lawful custodian  
5 of the child for other than a lawful purpose and the  
6 offense was committed on or after January 1, 1998.

7 (4) A violation or attempted violation of ~~any of~~ the  
8 following Section ~~Sections~~ of the Criminal Code of 1961  
9 when the offense was committed on or after July 1, 1999:

10 10-4 (forcible detention, if the victim is under 18  
11 years of age).

12 (4.1) Involuntary manslaughter under Section 9-3 of  
13 the Criminal Code of 1961 where baby shaking was the  
14 proximate cause of death of the victim of the offense.

15 (4.2) Endangering the life or health of a child under  
16 Section 12-21.6 of the Criminal Code of 1961 that results  
17 in the death of the child where baby shaking was the  
18 proximate cause of the death of the child.

19 (4.3) Domestic battery resulting in bodily harm under  
20 Section 12-3.2 of the Criminal Code of 1961 when the  
21 defendant was 18 years or older and the victim was under 18  
22 years of age and the offense was committed on or after July  
23 26, 2010.

24 (4.4) A violation or attempted violation of any of the  
25 following Sections or clauses of the Criminal Code of 1961  
26 when the victim was under 18 years of age and the offense

1       was committed on or after (1) July 26, 2000 if the  
2       defendant was 18 years of age or older or (2) July 26, 2010  
3       and the defendant was under the age of 18:

4               12-3.3 (aggravated domestic battery),

5               12-4 (a), 12-4(b)(1) or 12-4(b)(14) (aggravated  
6       battery),

7               12-4.1 (heinous battery),

8               12-4.3 (aggravated battery of a child),

9               12-4.4 (aggravated battery of an unborn child),

10              12-33 (ritualized abuse of a child).

11       (4.5) A violation or attempted violation of any of the  
12       following Sections of the Criminal Code of 1961 when the  
13       victim was under 18 years of age and the offense was  
14       committed on or after (1) August 1, 2001 if the defendant  
15       was 18 years of age or older or (2) August 1, 2011 and the  
16       defendant was under the age of 18:

17              12-4.2 (aggravated battery with a firearm),

18              12-4.2-5 (aggravated battery with a machine gun),

19              12-11 (home invasion).

20       (5) A violation of any former law of this State  
21       substantially equivalent to any offense listed in this  
22       subsection (b).

23       (c) A conviction for an offense of federal law, Uniform  
24       Code of Military Justice, or the law of another state or a  
25       foreign country that is substantially equivalent to any offense  
26       listed in subsections (b) and (c-5) of this Section shall

1 constitute a conviction for the purpose of this Act.

2 (c-5) A person at least 17 years of age at the time of the  
3 commission of the offense who is convicted of first degree  
4 murder under Section 9-1 of the Criminal Code of 1961, against  
5 a person under 18 years of age, shall be required to register  
6 for natural life. A conviction for an offense of federal,  
7 Uniform Code of Military Justice, sister state, or foreign  
8 country law that is substantially equivalent to any offense  
9 listed in this subsection (c-5) shall constitute a conviction  
10 for the purpose of this Act. This subsection (c-5) applies to a  
11 person who committed the offense before June 1, 1996 only if  
12 the person is incarcerated in an Illinois Department of  
13 Corrections facility on August 20, 2004.

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 violent offender against youth  
17 expects to reside, work, or attend school (1) upon his or her  
18 discharge, parole or release or (2) during the service of his  
19 or her sentence of probation or conditional discharge, or the  
20 Sheriff of the county, in the event no Police Chief exists or  
21 if the 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 any  
4 violent offender against youth who is enrolled in Illinois, on  
5 a full-time or part-time basis, in any public or private  
6 educational institution, including, but not limited to, any  
7 secondary school, trade or professional institution, or  
8 institution of higher learning.

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

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

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

24 (j) As used in this Act, "baby shaking" means the vigorous  
25 shaking of an infant or a young child that may result in  
26 bleeding inside the head and cause one or more of the following



1 conditions: irreversible brain damage; blindness, retinal  
2 hemorrhage, or eye damage; cerebral palsy; hearing loss; spinal  
3 cord injury, including paralysis; seizures; learning  
4 disability; central nervous system injury; closed head injury;  
5 rib fracture; subdural hematoma; or death.

6 (Source: P.A. 96-1115, eff. 1-1-11; 96-1294, eff. 7-26-10;  
7 revised 9-2-10.)

8 Section 99. Effective date. This Act takes effect August 1,  
9 2011."