



Sen. Kwame Raoul

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LRB097 16186 RLC 68170 a

1 AMENDMENT TO SENATE BILL 2778

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2778 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Sex Offender Registration Act is amended by  
5 adding Section 7-5 as follows:

6 (730 ILCS 150/7-5 new)

7 Sec. 7-5. Termination of duty to register.

8 (a) Any person required to register under Section 3 of  
9 this Act for a conviction of criminal sexual abuse under  
10 subsection (c) of Section 11-1.50 of the Criminal Code of 1961,  
11 may petition the court in the county of conviction for the  
12 termination of the term of registration no less than 10 years  
13 after his or her initial registration pursuant to Section 3 of  
14 this Act.

15 (b) The court may upon a hearing on the petition for  
16 termination of registration, terminate registration if the

1 court finds that the registrant poses no risk to the community  
2 by a preponderance of the evidence based upon the factors set  
3 forth in subsection (c).

4 (c) To determine whether a registrant poses a risk to the  
5 community as required by subsection (b), the court shall  
6 consider the following factors:

7 (1) a risk assessment performed by an evaluator  
8 approved by the Sex Offender Management Board;

9 (2) the sex offender history of the registrant;

10 (3) evidence of the registrant's rehabilitation;

11 (4) the age of the registrant at the time of the  
12 offense;

13 (5) information related to the registrant's mental,  
14 physical, educational, and social history;

15 (6) victim impact statements; and

16 (7) any other factors deemed relevant by the court.

17 (d) At the hearing set forth in subsections (b) and (c), a  
18 registrant may be represented by counsel and may present a risk  
19 assessment conducted by an evaluator who is a licensed  
20 psychiatrist, psychologist, or other mental health  
21 professional, and who has demonstrated clinical experience in  
22 sex offender treatment.

23 (e) After a registrant completes the term of his or her  
24 registration, his or her name, address, and all other  
25 identifying information shall be removed from all State and  
26 local registries.

1       (f) This Section applies retroactively to cases in which  
2 sex offenders who registered or were required to register  
3 before the effective date of this amendatory Act of the 97th  
4 General Assembly. On or after the effective date of this  
5 amendatory Act of the 97th General Assembly, a person convicted  
6 before the effective date of this amendatory Act of the 97th  
7 General Assembly may request a hearing regarding status of  
8 registration by filing a Petition Requesting Registration  
9 Status with the clerk of the court in the county of conviction.  
10 Upon receipt of the Petition Requesting Registration Status,  
11 the clerk of the court shall provide notice to the parties and  
12 set the Petition for hearing pursuant to subsections (b)  
13 through (d) of this Section.

14       (g) This Section does not apply to the following  
15 registrants:

16           (1) Registrants convicted in another state or a tribe,  
17 a territory, the District of Columbia, or a foreign  
18 country;

19           (2) Registrants convicted of any misdemeanor or felony  
20 offense other than criminal sexual abuse under subsection  
21 (c) of Section 11-1.50 of the Criminal Code of 1961; and

22           (3) Registrants with a second or subsequent conviction  
23 of criminal sexual abuse under subsection (c) of Section  
24 11-1.50 of the Criminal Code of 1961."