



Rep. Elizabeth Hernandez

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LRB098 02638 RLC 40686 a

1 AMENDMENT TO HOUSE BILL 1189

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1189 by replacing  
3 everything after the enacting clause with the following:

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

1 identities, chat room identities, and other Internet  
2 communications identities that the sex offender uses or plans  
3 to use, all Uniform Resource Locators (URLs) registered or used  
4 by the sex offender, all blogs and other Internet sites  
5 maintained by the sex offender or to which the sex offender has  
6 uploaded any content or posted any messages or information,  
7 extensions of the time period for registering as provided in  
8 this Article and, if an extension was granted, the reason why  
9 the extension was granted and the date the sex offender was  
10 notified of the extension. The information shall also include a  
11 copy of the terms and conditions of parole or release signed by  
12 the sex offender and given to the sex offender by his or her  
13 supervising officer, the county of conviction, license plate  
14 numbers for every vehicle registered in the name of the sex  
15 offender, the age of the sex offender at the time of the  
16 commission of the offense, the age of the victim at the time of  
17 the commission of the offense, and any distinguishing marks  
18 located on the body of the sex offender. A sex offender  
19 convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or  
20 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012  
21 shall provide all Internet protocol (IP) addresses in his or  
22 her residence, registered in his or her name, accessible at his  
23 or her place of employment, or otherwise under his or her  
24 control or custody. If the sex offender is a child sex offender  
25 as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of  
26 1961 or the Criminal Code of 2012, the sex offender shall

1 report to the registering agency whether he or she is living in  
2 a household with a child under 18 years of age who is not his or  
3 her own child, provided that his or her own child is not the  
4 victim of the sex offense. The sex offender or sexual predator  
5 shall register:

6 (1) with the chief of police in the municipality in  
7 which he or she resides or is temporarily domiciled for a  
8 period of time of 3 or more days, unless the municipality  
9 is the City of Chicago, in which case he or she shall  
10 register at the Chicago Police Department Headquarters; or

11 (2) with the sheriff in the county in which he or she  
12 resides or is temporarily domiciled for a period of time of  
13 3 or more days in an unincorporated area or, if  
14 incorporated, no police chief exists.

15 If the sex offender or sexual predator is employed at or  
16 attends an institution of higher education, he or she shall  
17 also register:

18 (i) with:

19 (A) the chief of police in the municipality in  
20 which he or she is employed at or attends an  
21 institution of higher education, unless the  
22 municipality is the City of Chicago, in which case he  
23 or she shall register at the Chicago Police Department  
24 Headquarters; or

25 (B) the sheriff in the county in which he or she is  
26 employed or attends an institution of higher education

1           located in an unincorporated area, or if incorporated,  
2           no police chief exists; and

3           (ii) with the public safety or security director of the  
4           institution of higher education which he or she is employed  
5           at or attends.

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

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

17          A sex offender or sexual predator who is temporarily absent  
18          from his or her current address of registration for 3 or more  
19          days shall notify the law enforcement agency having  
20          jurisdiction of his or her current registration, including the  
21          itinerary for travel, in the manner provided in Section 6 of  
22          this Act for notification to the law enforcement agency having  
23          jurisdiction of change of address.

24          Any person who lacks a fixed residence must report weekly,  
25          in person, with the sheriff's office of the county in which he  
26          or she is located in an unincorporated area, or with the chief

1 of police in the municipality in which he or she is located.  
2 The agency of jurisdiction will document each weekly  
3 registration to include all the locations where the person has  
4 stayed during the past 7 days.

5 The sex offender or sexual predator shall provide accurate  
6 information as required by the Department of State Police. That  
7 information shall include the sex offender's or sexual  
8 predator's current place of employment.

9 (a-5) An out-of-state student or out-of-state employee  
10 shall, within 3 days after beginning school or employment in  
11 this State, register in person and provide accurate information  
12 as required by the Department of State Police. Such information  
13 will include current place of employment, school attended, and  
14 address in state of residence. A sex offender convicted under  
15 Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the  
16 Criminal Code of 1961 or the Criminal Code of 2012 shall  
17 provide all Internet protocol (IP) addresses in his or her  
18 residence, registered in his or her name, accessible at his or  
19 her place of employment, or otherwise under his or her control  
20 or custody. The out-of-state student or out-of-state employee  
21 shall register:

22 (1) with:

23 (A) the chief of police in the municipality in  
24 which he or she attends school or is employed for a  
25 period of time of 5 or more days or for an aggregate  
26 period of time of more than 30 days during any calendar

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

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

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

15 The registration fees shall only apply to the municipality  
16 or county of primary registration, and not to campus  
17 registration.

18 The out-of-state student or out-of-state employee shall  
19 provide accurate information as required by the Department of  
20 State Police. That information shall include the out-of-state  
21 student's current place of school attendance or the  
22 out-of-state employee's current place of employment.

23 (a-10) Any law enforcement agency registering sex  
24 offenders or sexual predators in accordance with subsections  
25 (a) or (a-5) of this Section shall forward to the Attorney  
26 General a copy of sex offender registration forms from persons

1 convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or  
2 11-21 of the Criminal Code of 1961 or the Criminal Code of  
3 2012, including periodic and annual registrations under  
4 Section 6 of this Act.

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

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

13 (1) Any person registered under the Habitual Child Sex  
14 Offender Registration Act or the Child Sex Offender  
15 Registration Act prior to January 1, 1996, shall be deemed  
16 initially registered as of January 1, 1996; however, this  
17 shall not be construed to extend the duration of  
18 registration set forth in Section 7.

19 (2) Except as provided in subsection (c)(2.1) or  
20 (c)(4), any person convicted or adjudicated prior to  
21 January 1, 1996, whose liability for registration under  
22 Section 7 has not expired, shall register in person prior  
23 to January 31, 1996.

24 (2.1) A sex offender or sexual predator, who has never  
25 previously been required to register under this Act, has a  
26 duty to register if the person has been convicted of any

1 felony offense after July 1, 2011. A person who previously  
2 was required to register under this Act for a period of 10  
3 years and successfully completed that registration period  
4 has a duty to register if: (i) the person has been  
5 convicted of any felony offense after July 1, 2011, and  
6 (ii) the offense for which the 10 year registration was  
7 served currently requires a registration period of more  
8 than 10 years. Notification of an offender's duty to  
9 register under this subsection shall be pursuant to Section  
10 5-7 of this Act.

11 (2.5) Except as provided in subsection (c)(4), any  
12 person who has not been notified of his or her  
13 responsibility to register shall be notified by a criminal  
14 justice entity of his or her responsibility to register.  
15 Upon notification the person must then register within 3  
16 days of notification of his or her requirement to register.  
17 Except as provided in subsection (c)(2.1), if notification  
18 is not made within the offender's 10 year registration  
19 requirement, and the Department of State Police determines  
20 no evidence exists or indicates the offender attempted to  
21 avoid registration, the offender will no longer be required  
22 to register under this Act.

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



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

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

9           (6) The person shall pay a \$100 initial registration  
10 fee and a \$100 annual renewal fee. The fees shall be used  
11 by the registering agency for official purposes. The agency  
12 shall establish procedures to document receipt and use of  
13 the funds. The law enforcement agency having jurisdiction  
14 may waive the registration fee if it determines that the  
15 person is indigent and unable to pay the registration fee.  
16 Thirty-five dollars for the initial registration fee and  
17 \$35 of the annual renewal fee shall be retained and used by  
18 the registering agency for official purposes. Five dollars  
19 of the initial registration fee and \$5 of the annual fee  
20 shall be deposited into the Sex Offender Management Board  
21 Fund under Section 19 of the Sex Offender Management Board  
22 Act. Money deposited into the Sex Offender Management Board  
23 Fund shall be administered by the Sex Offender Management  
24 Board and shall be used by the Board to comply with the  
25 provisions of the Sex Offender Management Board Act. Thirty  
26 dollars of the initial registration fee and \$30 of the

1 annual renewal fee shall be deposited into the Sex Offender  
2 Registration Fund and shall be used by the Department of  
3 State Police to maintain and update the Illinois State  
4 Police Sex Offender Registry. Thirty dollars of the initial  
5 registration fee and \$30 of the annual renewal fee shall be  
6 deposited into the Attorney General Sex Offender  
7 Awareness, Training, and Education Fund. Moneys deposited  
8 into the Fund shall be used by the Attorney General to  
9 administer the I-SORT program and to alert and educate the  
10 public, victims, and witnesses of their rights under  
11 various victim notification laws and for training law  
12 enforcement agencies, State's Attorneys, and medical  
13 providers of their legal duties concerning the prosecution  
14 and investigation of sex offenses.

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

23 (Source: P.A. 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11;  
24 96-1097, eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff.  
25 1-1-11; 96-1551, eff. 7-1-11; 97-155, eff 1-1-12; 97-333, eff.  
26 8-12-11; 97-578, eff. 1-1-12; 97-1098, eff. 1-1-13; 97-1109,

1 eff. 1-1-13; 97-1150, eff. 1-25-13.)".