

AN ACT concerning criminal law.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Sex Offender Management Board Act is amended by changing Section 19 as follows:

(20 ILCS 4026/19)

Sec. 19. Sex Offender Management Board Fund.

(a) Any and all practices endorsed or required under this Act, including but not limited to evaluation, treatment, or monitoring of programs that are or may be developed by the agency providing supervision or the Department of Corrections, ~~or the Department of Human Services~~ shall be at the expense of the person evaluated or treated, based upon the person's ability to pay. If it is determined by the agency providing supervision or the Department of Corrections, ~~or the Department of Human Services~~ that the person does not have the ability to pay for practices endorsed or required by this Act, the agency providing supervision of the sex offender shall request reimbursement for services required under this Act for which the agency has provided funding. The ~~Sex Offender Management Board shall provide~~ the agency providing supervision or the Department of Corrections shall develop, ~~or the Department of Human Services with~~ factors to be considered and criteria to determine a person's ability to pay. The Sex Offender Management Board shall coordinate the expenditures of moneys from the Sex Offender Management Board Fund ~~with any money expended by counties, the Department of Corrections or the Department of Human Services~~. The Board shall allocate ~~develop a plan for the allocation of~~ moneys deposited in this Fund among the agency providing supervision or the Department of Corrections, ~~or the Department of Human Services~~.

(b) Up to 20% of this Fund shall be retained by the Sex

Offender Management Board for administrative costs, including staff, incurred pursuant to this Act.

(c) Monies expended for this Fund shall be used to supplement, not replace offenders' self-pay, or county appropriations for probation and court services.

(d) Interest earned on monies deposited in this Fund may be used by the Board for its administrative costs and expenses.

(e) In addition to the funds provided by the sex offender, counties, or Departments providing treatment, the Board shall explore funding sources including but not limited to State, federal, and private funds.

(Source: P.A. 93-616, eff. 1-1-04.)