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Subject: Emailing: Illinois General Assembly - Full Text of HB1998.htm

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[Compiled](#)

[Statutes](#)

[Public Acts](#)

[Legislative](#)

[Reports](#)

[IL Constitution](#)

[Legislative](#)

[Guide](#)

[Legislative](#)

[Glossary](#)

Full Text of HB1998

[Introduced](#) [Engrossed](#) [Enrolled](#)

[Public Act](#)

[Printer-Friendly Version](#) [PDF](#) [Bill Status](#)

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LRB095 07605 RLC 27755 b

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Number
(example:
HB0001)

--
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Keyword

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☒ Missing Kids

1 AN ACT concerning sex offenders.

2 Be it enacted by the People of the State of Illinois,

3 represented in the General Assembly:

4 Section 5. The Sex Offender Community Notification Law is

5 amended by adding Section 116 as follows:

6 (730 ILCS 152/116 new)

7 Sec. 116. Missing Sex Offender Database.

8 (a) The Department of State Police shall establish and

9 maintain a Statewide Missing Sex Offender Database for the

10 purpose of identifying missing sex offenders and making that

11 information available to the persons specified in Sections 120

12 and 125 of this Law. The Database shall be created from the Law

13 Enforcement Agencies Data System (LEADS) established under

14 Section 6 of the Intergovernmental Missing Child Recovery Act

15 of 1984. The Department of State Police shall examine its LEADS

16 database for persons registered as sex offenders under the Sex

17 Offender Registration Act and shall identify those who are sex

18 offenders and who have not complied with the provisions of

19 Section 6 of that Act or whose address can not be verified

20 under Section 8-5 of that Act and shall add all the

21 information, including photographs if available, on those

22 missing sex offenders to the Statewide Sex Offender Database.

23 (b) The Department of State Police must make the

HB1998 Enrolled

- 2 -

LRB095 07605 RLC 27755 b

1 information contained in the Statewide Missing Sex Offender

2 Database accessible on the Internet by means of a hyperlink

3 labeled "Missing Sex Offender Information" on the Department's

4 World Wide Web home page and on the Attorney General's I-SORT

5 page. The Department of State Police must update that

6 information as it deems necessary. The Internet page shall also

7 include information that rewards are available to persons who

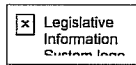
8 inform the Department of State Police or a local law

9 enforcement agency of the whereabouts of a missing sex

10 offender.
11 The Department of State Police may require that a person
12 who seeks access to the missing sex offender information submit
13 biographical information about himself or herself before
14 permitting access to the missing sex offender information. The
15 Department of State Police must promulgate rules in accordance
16 with the Illinois Administrative Procedure Act to implement
17 this subsection (b) and those rules must include procedures to
18 ensure that the information in the database is accurate.
19 (c) The Department of State Police, Sex Offender
20 Registration Unit, must develop and conduct training to educate
21 all those entities involved in the Missing Sex Offender
22 Registration Program.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.

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TEXAS
GOVERNMENT CODE
TITLE 2. JUDICIAL BRANCH
SUBTITLE I. COURT FEES AND COSTS
CHAPTER 103. ADDITIONAL COURT FEES AND COSTS
SUBCHAPTER B. MISCELLANEOUS FEES AND COSTS

§ 103.021. Additional Fees and Costs in Criminal or Civil Cases

An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs if ordered by the court or otherwise required:

- 4) repayment of reward paid by a crime stoppers organization on conviction of a felony (Art. 37.073, Code of Criminal Procedure) . . . amount ordered;
- (6) payment to a crime stoppers organization as condition of community supervision (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$ 50;

Texas Government Code

Chapter 414. Crime Stoppers Advisory Council

Section 414.001. Definitions. In this chapter:

- (1) "Council" means the Crime Stoppers Advisory Council.
- (2) "Crime stoppers organization" means:
 - (A) a private, nonprofit organization that is operated on a local or statewide level, that accepts and expends donations for rewards to persons who report to the organization information about criminal activity and that forwards the information to the appropriate law enforcement agency; or
 - (B) A public organization that is operated on a local or statewide level, that pays rewards to persons who report to the organization information about criminal activity and that forwards the information to the appropriate law enforcement agency.

Section 414.002. Organization of Council.

- (a) The Crime Stoppers Advisory Council is within the criminal justice division of the Governor's office.

(b) The council consists of five members appointed by the governor with the advice and consent of the senate. At least three members must be persons who have participated in a local crime stoppers organization in any of the following capacities:

- (1) as a law enforcement coordinator;
- (2) as a member of the board of directors;
- (3) as a media representative; or
- (4) as an administrative officer.

(c) The term of office of a member is four years.

(d) At its first meeting after the beginning of each fiscal year the council shall elect from among its members a chairman and other officers that the council considers necessary.

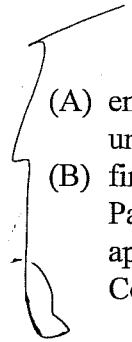
Section 414.003. Per Diem and Expenses. A member of the Council is entitled to:

- (1) a per diem as determined by appropriation; and
- (2) reimbursement for actual and necessary expenses incurred in performing duties as a member.

Section 414.004. Director. The council and the executive director of the criminal justice division of the governor's office shall designate a person to serve as director. The director must be approved by the governor. The council shall define the director's authority and responsibilities.

Section 414.005. Duties. The council shall:

- (1) encourage, advise, and assist in the creation of local crime stoppers organizations;
 - (2) foster the detection of crime and encourage persons to report information about criminal acts;
 - (3) encourage news and other media to broadcast reenactments and to inform the public of the functions of crime stoppers organizations' operations and programs;
 - (4) promote the process of crime stoppers organizations to forward information about criminal acts to the appropriate law enforcement agencies;
 - (5) help law enforcement agencies detect and combat crime by increasing the flow of information to and between law enforcement agencies;
 - (6) create specialized programs targeted at detecting specific crimes or types of crimes, including at least one program that:
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- (A) encourages individuals to report sex offenders who have failed to register under Chapter 62, Code of Criminal Procedure, and
 - (B) financially rewards each individual who makes a report described by Paragraph (A) that leads or substantially contributes to the arrest or apprehension of a sex offender who has failed to register under Chapter 62, Code of Criminal Procedure.

(7) encourage, advise, and assist crime stoppers organizations in implementing any programs created under Subdivision (6), including a program specifically described by Subdivision (6).

Section 414.006. Rules. The council may adopt rules to carry out its functions under this chapter. The rules adopted by the council shall not conflict with the rules relating to grants adopted by the criminal justice division of the governor's office.

Section 414.007. Confidentiality of Council Records. Council records relating to reports of criminal acts are confidential.

Section 414.008. Privileged Information.

a) Except as otherwise provided by this section, evidence of a communication between a person submitting a report of a criminal act to the council or a crime stoppers organization and the person who accepted the report on behalf of the council or organization is not admissible in a court or an administrative proceeding.

(b) Records of the council or a crime stoppers organization concerning a report of criminal activity may not be compelled to be produced before a court or other tribunal except on a motion:

(1) filed in a criminal trial court by a defendant who alleges that the records or report contains evidence that is exculpatory to the defendant in the trial of that offense; or

(2) filed in a civil case by a plaintiff who alleges that denial of access to the records concerning the report of criminal activity abrogates any part of a cognizable common law cause of action, if the plaintiff alleging abrogation:

(A) was charged with or convicted of a criminal offense based at least partially on the report and the charges were dismissed, the plaintiff was acquitted, or the conviction was overturned, as applicable; and

(B) in the motion establishes a prima facie case that the plaintiff's abrogated claim is based on injuries from the criminal charge or conviction caused by the wrongful acts of another performed in connection with the report.

(c) On motion of a movant under Subsection (b), the court may subpoena the records or report. The court shall conduct an in camera inspection of materials produced under subpoena to determine whether the materials contain: