

(b) (1) Subject to paragraphs (3) and (4) of this subsection, if a person is convicted of a second or subsequent sexually violent offense, the State's Attorney may request the court to determine before sentencing whether the person is a sexually violent predator.

(2) If the State's Attorney makes a request under paragraph (1) of this subsection, the court shall determine before or at sentencing whether the person is a sexually violent predator.

(3) In making a determination under paragraph (1) of this subsection, the court shall consider:

(i) Any evidence that the court considers appropriate to the determination of whether the individual is a sexually violent predator, including the presentencing investigation and sexually violent offender's inmate record;

(ii) Any evidence introduced by the person convicted; and

(iii) At the request of the State's Attorney, any evidence presented by a victim of the sexually violent offense.

(4) The State's Attorney may not request a court to determine if a person is a sexually violent predator under this subsection unless the State's Attorney serves written notice of intent to make the request on the defendant or the defendant's lawyer at least 30 days before trial.

(c) (1) In this subsection, "resident" means a person who lives in this State at the time the person:

(i) Is released;

(ii) Is granted probation before judgment;

(iii) Is granted probation after judgment;

(iv) Is granted a suspended sentence; or

(v) Receives a sentence that does not include a term of imprisonment.

(2) A registrant shall register with the supervising authority:

(i) If the registrant is a resident, on or before the date that the registrant:

1. Is released;

2. Is granted probation before judgment;

3. Is granted probation after judgment;

4. Is granted a suspended sentence; or

5. Receives a sentence that does not include a term of imprisonment; or