

1 AN ACT concerning criminal law.

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

4 Section 1. This Act may be referred to as the Free Meek
5 Mill Act.

6 Section 5. The Unified Code of Corrections is amended by
7 changing Section 3-3-7 as follows:

8 (730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

9 Sec. 3-3-7. Conditions of parole or mandatory supervised
10 release.

11 (a) The conditions of parole or mandatory supervised
12 release shall be such as the Prisoner Review Board deems
13 necessary to assist the subject in leading a law-abiding life.
14 The conditions of every parole and mandatory supervised release
15 are that the subject:

16 (1) not violate any criminal statute of any
17 jurisdiction during the parole or release term;

18 (2) refrain from possessing a firearm or other
19 dangerous weapon;

20 (3) report to an agent of the Department of
21 Corrections;

22 (4) permit the agent to visit him or her at his or her

1 home, employment, or elsewhere to the extent necessary for
2 the agent to discharge his or her duties;

3 (5) attend or reside in a facility established for the
4 instruction or residence of persons on parole or mandatory
5 supervised release;

6 (6) secure permission before visiting or writing a
7 committed person in an Illinois Department of Corrections
8 facility;

9 (7) report all arrests to an agent of the Department of
10 Corrections as soon as permitted by the arresting authority
11 but in no event later than 24 hours after release from
12 custody and immediately report service or notification of
13 an order of protection, a civil no contact order, or a
14 stalking no contact order to an agent of the Department of
15 Corrections;

16 (7.5) if convicted of a sex offense as defined in the
17 Sex Offender Management Board Act, the individual shall
18 undergo and successfully complete sex offender treatment
19 conducted in conformance with the standards developed by
20 the Sex Offender Management Board Act by a treatment
21 provider approved by the Board;

22 (7.6) if convicted of a sex offense as defined in the
23 Sex Offender Management Board Act, refrain from residing at
24 the same address or in the same condominium unit or
25 apartment unit or in the same condominium complex or
26 apartment complex with another person he or she knows or

1 reasonably should know is a convicted sex offender or has
2 been placed on supervision for a sex offense; the
3 provisions of this paragraph do not apply to a person
4 convicted of a sex offense who is placed in a Department of
5 Corrections licensed transitional housing facility for sex
6 offenders, or is in any facility operated or licensed by
7 the Department of Children and Family Services or by the
8 Department of Human Services, or is in any licensed medical
9 facility;

10 (7.7) if convicted for an offense that would qualify
11 the accused as a sexual predator under the Sex Offender
12 Registration Act on or after January 1, 2007 (the effective
13 date of Public Act 94-988), wear an approved electronic
14 monitoring device as defined in Section 5-8A-2 for the
15 duration of the person's parole, mandatory supervised
16 release term, or extended mandatory supervised release
17 term and if convicted for an offense of criminal sexual
18 assault, aggravated criminal sexual assault, predatory
19 criminal sexual assault of a child, criminal sexual abuse,
20 aggravated criminal sexual abuse, or ritualized abuse of a
21 child committed on or after August 11, 2009 (the effective
22 date of Public Act 96-236) when the victim was under 18
23 years of age at the time of the commission of the offense
24 and the defendant used force or the threat of force in the
25 commission of the offense wear an approved electronic
26 monitoring device as defined in Section 5-8A-2 that has

1 Global Positioning System (GPS) capability for the
2 duration of the person's parole, mandatory supervised
3 release term, or extended mandatory supervised release
4 term;

5 (7.8) if convicted for an offense committed on or after
6 June 1, 2008 (the effective date of Public Act 95-464) that
7 would qualify the accused as a child sex offender as
8 defined in Section 11-9.3 or 11-9.4 of the Criminal Code of
9 1961 or the Criminal Code of 2012, refrain from
10 communicating with or contacting, by means of the Internet,
11 a person who is not related to the accused and whom the
12 accused reasonably believes to be under 18 years of age;
13 for purposes of this paragraph (7.8), "Internet" has the
14 meaning ascribed to it in Section 16-0.1 of the Criminal
15 Code of 2012; and a person is not related to the accused if
16 the person is not: (i) the spouse, brother, or sister of
17 the accused; (ii) a descendant of the accused; (iii) a
18 first or second cousin of the accused; or (iv) a step-child
19 or adopted child of the accused;

20 (7.9) if convicted under Section 11-6, 11-20.1,
21 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or
22 the Criminal Code of 2012, consent to search of computers,
23 PDAs, cellular phones, and other devices under his or her
24 control that are capable of accessing the Internet or
25 storing electronic files, in order to confirm Internet
26 protocol addresses reported in accordance with the Sex

1 Offender Registration Act and compliance with conditions
2 in this Act;

3 (7.10) if convicted for an offense that would qualify
4 the accused as a sex offender or sexual predator under the
5 Sex Offender Registration Act on or after June 1, 2008 (the
6 effective date of Public Act 95-640), not possess
7 prescription drugs for erectile dysfunction;

8 (7.11) if convicted for an offense under Section 11-6,
9 11-9.1, 11-14.4 that involves soliciting for a juvenile
10 prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21
11 of the Criminal Code of 1961 or the Criminal Code of 2012,
12 or any attempt to commit any of these offenses, committed
13 on or after June 1, 2009 (the effective date of Public Act
14 95-983):

15 (i) not access or use a computer or any other
16 device with Internet capability without the prior
17 written approval of the Department;

18 (ii) submit to periodic unannounced examinations
19 of the offender's computer or any other device with
20 Internet capability by the offender's supervising
21 agent, a law enforcement officer, or assigned computer
22 or information technology specialist, including the
23 retrieval and copying of all data from the computer or
24 device and any internal or external peripherals and
25 removal of such information, equipment, or device to
26 conduct a more thorough inspection;

1 (iii) submit to the installation on the offender's
2 computer or device with Internet capability, at the
3 offender's expense, of one or more hardware or software
4 systems to monitor the Internet use; and

5 (iv) submit to any other appropriate restrictions
6 concerning the offender's use of or access to a
7 computer or any other device with Internet capability
8 imposed by the Board, the Department or the offender's
9 supervising agent;

10 (7.12) if convicted of a sex offense as defined in the
11 Sex Offender Registration Act committed on or after January
12 1, 2010 (the effective date of Public Act 96-262), refrain
13 from accessing or using a social networking website as
14 defined in Section 17-0.5 of the Criminal Code of 2012;

15 (7.13) if convicted of a sex offense as defined in
16 Section 2 of the Sex Offender Registration Act committed on
17 or after January 1, 2010 (the effective date of Public Act
18 96-362) that requires the person to register as a sex
19 offender under that Act, may not knowingly use any computer
20 scrub software on any computer that the sex offender uses;

21 (8) obtain permission of an agent of the Department of
22 Corrections before leaving the State of Illinois;

23 (9) obtain permission of an agent of the Department of
24 Corrections before changing his or her residence or
25 employment;

26 (10) consent to a search of his or her person,

1 property, or residence under his or her control;

2 (11) refrain from the use or possession of narcotics or
3 other controlled substances in any form, or both, or any
4 paraphernalia related to those substances and submit to a
5 urinalysis test as instructed by a parole agent of the
6 Department of Corrections;

7 (12) not knowingly frequent places where controlled
8 substances are illegally sold, used, distributed, or
9 administered;

10 (13) not knowingly associate with other persons on
11 parole or mandatory supervised release without prior
12 written permission of his or her parole agent, ~~except when~~
13 ~~the association involves activities related to community~~
14 ~~programs, worship services, volunteering, and engaging~~
15 ~~families,~~ and not associate with persons who are members of
16 an organized gang as that term is defined in the Illinois
17 Streetgang Terrorism Omnibus Prevention Act, except when
18 the association involves activities related to community
19 programs, worship, services, volunteering, engaging
20 families, or some other pro-social activity in which there
21 is no evidence of criminal intent;

22 (14) provide true and accurate information, as it
23 relates to his or her adjustment in the community while on
24 parole or mandatory supervised release or to his or her
25 conduct while incarcerated, in response to inquiries by his
26 or her parole agent or of the Department of Corrections;

1 (15) follow any specific instructions provided by the
2 parole agent that are consistent with furthering
3 conditions set and approved by the Prisoner Review Board or
4 by law, exclusive of placement on electronic detention, to
5 achieve the goals and objectives of his or her parole or
6 mandatory supervised release or to protect the public.
7 These instructions by the parole agent may be modified at
8 any time, as the agent deems appropriate;

9 (16) if convicted of a sex offense as defined in
10 subsection (a-5) of Section 3-1-2 of this Code, unless the
11 offender is a parent or guardian of the person under 18
12 years of age present in the home and no non-familial minors
13 are present, not participate in a holiday event involving
14 children under 18 years of age, such as distributing candy
15 or other items to children on Halloween, wearing a Santa
16 Claus costume on or preceding Christmas, being employed as
17 a department store Santa Claus, or wearing an Easter Bunny
18 costume on or preceding Easter;

19 (17) if convicted of a violation of an order of
20 protection under Section 12-3.4 or Section 12-30 of the
21 Criminal Code of 1961 or the Criminal Code of 2012, be
22 placed under electronic surveillance as provided in
23 Section 5-8A-7 of this Code;

24 (18) comply with the terms and conditions of an order
25 of protection issued pursuant to the Illinois Domestic
26 Violence Act of 1986; an order of protection issued by the

1 court of another state, tribe, or United States territory;
2 a no contact order issued pursuant to the Civil No Contact
3 Order Act; or a no contact order issued pursuant to the
4 Stalking No Contact Order Act;

5 (19) if convicted of a violation of the Methamphetamine
6 Control and Community Protection Act, the Methamphetamine
7 Precursor Control Act, or a methamphetamine related
8 offense, be:

9 (A) prohibited from purchasing, possessing, or
10 having under his or her control any product containing
11 pseudoephedrine unless prescribed by a physician; and

12 (B) prohibited from purchasing, possessing, or
13 having under his or her control any product containing
14 ammonium nitrate;

15 (20) if convicted of a hate crime under Section 12-7.1
16 of the Criminal Code of 2012, perform public or community
17 service of no less than 200 hours and enroll in an
18 educational program discouraging hate crimes involving the
19 protected class identified in subsection (a) of Section
20 12-7.1 of the Criminal Code of 2012 that gave rise to the
21 offense the offender committed ordered by the court; and

22 (21) be evaluated by the Department of Corrections
23 prior to release using a validated risk assessment and be
24 subject to a corresponding level of supervision. In
25 accordance with the findings of that evaluation:

26 (A) All subjects found to be at a moderate or high

1 risk to recidivate, or on parole or mandatory
2 supervised release for first degree murder, a forcible
3 felony as defined in Section 2-8 of the Criminal Code
4 of 2012, any felony that requires registration as a sex
5 offender under the Sex Offender Registration Act, or a
6 Class X felony or Class 1 felony that is not a
7 violation of the Cannabis Control Act, the Illinois
8 Controlled Substances Act, or the Methamphetamine
9 Control and Community Protection Act, shall be subject
10 to high level supervision. The Department shall define
11 high level supervision based upon evidence-based and
12 research-based practices. Notwithstanding this
13 placement on high level supervision, placement of the
14 subject on electronic monitoring or detention shall
15 not occur unless it is required by law or expressly
16 ordered or approved by the Prisoner Review Board.

17 (B) All subjects found to be at a low risk to
18 recidivate shall be subject to low-level supervision,
19 except for those subjects on parole or mandatory
20 supervised release for first degree murder, a forcible
21 felony as defined in Section 2-8 of the Criminal Code
22 of 2012, any felony that requires registration as a sex
23 offender under the Sex Offender Registration Act, or a
24 Class X felony or Class 1 felony that is not a
25 violation of the Cannabis Control Act, the Illinois
26 Controlled Substances Act, or the Methamphetamine

1 Control and Community Protection Act. Low level
2 supervision shall require the subject to check in with
3 the supervising officer via phone or other electronic
4 means. Notwithstanding this placement on low level
5 supervision, placement of the subject on electronic
6 monitoring or detention shall not occur unless it is
7 required by law or expressly ordered or approved by the
8 Prisoner Review Board.

9 (b) The Board may in addition to other conditions require
10 that the subject:

11 (1) work or pursue a course of study or vocational
12 training;

13 (2) undergo medical or psychiatric treatment, or
14 treatment for drug addiction or alcoholism;

15 (3) attend or reside in a facility established for the
16 instruction or residence of persons on probation or parole;

17 (4) support his or her dependents;

18 (5) (blank);

19 (6) (blank);

20 (7) (blank);

21 (7.5) if convicted for an offense committed on or after
22 the effective date of this amendatory Act of the 95th
23 General Assembly that would qualify the accused as a child
24 sex offender as defined in Section 11-9.3 or 11-9.4 of the
25 Criminal Code of 1961 or the Criminal Code of 2012, refrain
26 from communicating with or contacting, by means of the

1 Internet, a person who is related to the accused and whom
2 the accused reasonably believes to be under 18 years of
3 age; for purposes of this paragraph (7.5), "Internet" has
4 the meaning ascribed to it in Section 16-0.1 of the
5 Criminal Code of 2012; and a person is related to the
6 accused if the person is: (i) the spouse, brother, or
7 sister of the accused; (ii) a descendant of the accused;
8 (iii) a first or second cousin of the accused; or (iv) a
9 step-child or adopted child of the accused;

10 (7.6) if convicted for an offense committed on or after
11 June 1, 2009 (the effective date of Public Act 95-983) that
12 would qualify as a sex offense as defined in the Sex
13 Offender Registration Act:

14 (i) not access or use a computer or any other
15 device with Internet capability without the prior
16 written approval of the Department;

17 (ii) submit to periodic unannounced examinations
18 of the offender's computer or any other device with
19 Internet capability by the offender's supervising
20 agent, a law enforcement officer, or assigned computer
21 or information technology specialist, including the
22 retrieval and copying of all data from the computer or
23 device and any internal or external peripherals and
24 removal of such information, equipment, or device to
25 conduct a more thorough inspection;

26 (iii) submit to the installation on the offender's

1 computer or device with Internet capability, at the
2 offender's expense, of one or more hardware or software
3 systems to monitor the Internet use; and

4 (iv) submit to any other appropriate restrictions
5 concerning the offender's use of or access to a
6 computer or any other device with Internet capability
7 imposed by the Board, the Department or the offender's
8 supervising agent; and

9 (8) in addition, if a minor:

10 (i) reside with his or her parents or in a foster
11 home;

12 (ii) attend school;

13 (iii) attend a non-residential program for youth;

14 or

15 (iv) contribute to his or her own support at home
16 or in a foster home.

17 (b-1) In addition to the conditions set forth in
18 subsections (a) and (b), persons required to register as sex
19 offenders pursuant to the Sex Offender Registration Act, upon
20 release from the custody of the Illinois Department of
21 Corrections, may be required by the Board to comply with the
22 following specific conditions of release:

23 (1) reside only at a Department approved location;

24 (2) comply with all requirements of the Sex Offender
25 Registration Act;

26 (3) notify third parties of the risks that may be

1 occasioned by his or her criminal record;

2 (4) obtain the approval of an agent of the Department
3 of Corrections prior to accepting employment or pursuing a
4 course of study or vocational training and notify the
5 Department prior to any change in employment, study, or
6 training;

7 (5) not be employed or participate in any volunteer
8 activity that involves contact with children, except under
9 circumstances approved in advance and in writing by an
10 agent of the Department of Corrections;

11 (6) be electronically monitored for a minimum of 12
12 months from the date of release as determined by the Board;

13 (7) refrain from entering into a designated geographic
14 area except upon terms approved in advance by an agent of
15 the Department of Corrections. The terms may include
16 consideration of the purpose of the entry, the time of day,
17 and others accompanying the person;

18 (8) refrain from having any contact, including written
19 or oral communications, directly or indirectly, personally
20 or by telephone, letter, or through a third party with
21 certain specified persons including, but not limited to,
22 the victim or the victim's family without the prior written
23 approval of an agent of the Department of Corrections;

24 (9) refrain from all contact, directly or indirectly,
25 personally, by telephone, letter, or through a third party,
26 with minor children without prior identification and

1 approval of an agent of the Department of Corrections;

2 (10) neither possess or have under his or her control
3 any material that is sexually oriented, sexually
4 stimulating, or that shows male or female sex organs or any
5 pictures depicting children under 18 years of age nude or
6 any written or audio material describing sexual
7 intercourse or that depicts or alludes to sexual activity,
8 including but not limited to visual, auditory, telephonic,
9 or electronic media, or any matter obtained through access
10 to any computer or material linked to computer access use;

11 (11) not patronize any business providing sexually
12 stimulating or sexually oriented entertainment nor utilize
13 "900" or adult telephone numbers;

14 (12) not reside near, visit, or be in or about parks,
15 schools, day care centers, swimming pools, beaches,
16 theaters, or any other places where minor children
17 congregate without advance approval of an agent of the
18 Department of Corrections and immediately report any
19 incidental contact with minor children to the Department;

20 (13) not possess or have under his or her control
21 certain specified items of contraband related to the
22 incidence of sexually offending as determined by an agent
23 of the Department of Corrections;

24 (14) may be required to provide a written daily log of
25 activities if directed by an agent of the Department of
26 Corrections;

1 (15) comply with all other special conditions that the
2 Department may impose that restrict the person from
3 high-risk situations and limit access to potential
4 victims;

5 (16) take an annual polygraph exam;

6 (17) maintain a log of his or her travel; or

7 (18) obtain prior approval of his or her parole officer
8 before driving alone in a motor vehicle.

9 (c) The conditions under which the parole or mandatory
10 supervised release is to be served shall be communicated to the
11 person in writing prior to his or her release, and he or she
12 shall sign the same before release. A signed copy of these
13 conditions, including a copy of an order of protection where
14 one had been issued by the criminal court, shall be retained by
15 the person and another copy forwarded to the officer in charge
16 of his or her supervision.

17 (d) After a hearing under Section 3-3-9, the Prisoner
18 Review Board may modify or enlarge the conditions of parole or
19 mandatory supervised release.

20 (e) The Department shall inform all offenders committed to
21 the Department of the optional services available to them upon
22 release and shall assist inmates in availing themselves of such
23 optional services upon their release on a voluntary basis.

24 (f) (Blank).

25 (Source: P.A. 99-628, eff. 1-1-17; 99-698, eff. 7-29-16;
26 100-201, eff. 8-18-17; 100-260, eff. 1-1-18; 100-575, eff.

1 1-8-18.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.