



Rep. Marcus C. Evans, Jr.

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LRB100 03295 RLC 37620 a

1 AMENDMENT TO HOUSE BILL 1471

2 AMENDMENT NO. _____. Amend House Bill 1471 by replacing
3 everything after the enacting clause with the following:

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:

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

3 (2) refrain from possessing a firearm or other
4 dangerous weapon;

5 (3) report to an agent of the Department of
6 Corrections;

7 (4) permit the agent to visit him or her at his or her
8 home, employment, or elsewhere to the extent necessary for
9 the agent to discharge his or her duties;

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

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

16 (7) report all arrests to an agent of the Department of
17 Corrections as soon as permitted by the arresting authority
18 but in no event later than 24 hours after release from
19 custody and immediately report service or notification of
20 an order of protection, a civil no contact order, or a
21 stalking no contact order to an agent of the Department of
22 Corrections;

23 (7.5) if convicted of a sex offense as defined in the
24 Sex Offender Management Board Act, the individual shall
25 undergo and successfully complete sex offender treatment
26 conducted in conformance with the standards developed by

1 the Sex Offender Management Board Act by a treatment
2 provider approved by the Board;

3 (7.6) if convicted of a sex offense as defined in the
4 Sex Offender Management Board Act, refrain from residing at
5 the same address or in the same condominium unit or
6 apartment unit or in the same condominium complex or
7 apartment complex with another person he or she knows or
8 reasonably should know is a convicted sex offender or has
9 been placed on supervision for a sex offense; the
10 provisions of this paragraph do not apply to a person
11 convicted of a sex offense who is placed in a Department of
12 Corrections licensed transitional housing facility for sex
13 offenders, or is in any facility operated or licensed by
14 the Department of Children and Family Services or by the
15 Department of Human Services, or is in any licensed medical
16 facility;

17 (7.7) if convicted for an offense that would qualify
18 the accused as a sexual predator under the Sex Offender
19 Registration Act on or after January 1, 2007 (the effective
20 date of Public Act 94-988), wear an approved electronic
21 monitoring device as defined in Section 5-8A-2 for the
22 duration of the person's parole, mandatory supervised
23 release term, or extended mandatory supervised release
24 term and if convicted for an offense of criminal sexual
25 assault, aggravated criminal sexual assault, predatory
26 criminal sexual assault of a child, criminal sexual abuse,

1 aggravated criminal sexual abuse, or ritualized abuse of a
2 child committed on or after August 11, 2009 (the effective
3 date of Public Act 96-236) when the victim was under 18
4 years of age at the time of the commission of the offense
5 and the defendant used force or the threat of force in the
6 commission of the offense wear an approved electronic
7 monitoring device as defined in Section 5-8A-2 that has
8 Global Positioning System (GPS) capability for the
9 duration of the person's parole, mandatory supervised
10 release term, or extended mandatory supervised release
11 term;

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

1 (7.9) if convicted under Section 11-6, 11-20.1,
2 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or
3 the Criminal Code of 2012, consent to search of computers,
4 PDAs, cellular phones, and other devices under his or her
5 control that are capable of accessing the Internet or
6 storing electronic files, in order to confirm Internet
7 protocol addresses reported in accordance with the Sex
8 Offender Registration Act and compliance with conditions
9 in this Act;

10 (7.10) if convicted for an offense that would qualify
11 the accused as a sex offender or sexual predator under the
12 Sex Offender Registration Act on or after June 1, 2008 (the
13 effective date of Public Act 95-640), not possess
14 prescription drugs for erectile dysfunction;

15 (7.11) if convicted for an offense under Section 11-6,
16 11-9.1, 11-14.4 that involves soliciting for a juvenile
17 prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21
18 of the Criminal Code of 1961 or the Criminal Code of 2012,
19 or any attempt to commit any of these offenses, committed
20 on or after June 1, 2009 (the effective date of Public Act
21 95-983):

22 (i) not access or use a computer or any other
23 device with Internet capability without the prior
24 written approval of the Department;

25 (ii) submit to periodic unannounced examinations
26 of the offender's computer or any other device with

1 Internet capability by the offender's supervising
2 agent, a law enforcement officer, or assigned computer
3 or information technology specialist, including the
4 retrieval and copying of all data from the computer or
5 device and any internal or external peripherals and
6 removal of such information, equipment, or device to
7 conduct a more thorough inspection;

8 (iii) submit to the installation on the offender's
9 computer or device with Internet capability, at the
10 offender's expense, of one or more hardware or software
11 systems to monitor the Internet use; and

12 (iv) submit to any other appropriate restrictions
13 concerning the offender's use of or access to a
14 computer or any other device with Internet capability
15 imposed by the Board, the Department or the offender's
16 supervising agent;

17 (7.12) if convicted of a sex offense as defined in the
18 Sex Offender Registration Act committed on or after January
19 1, 2010 (the effective date of Public Act 96-262), refrain
20 from accessing or using a social networking website as
21 defined in Section 17-0.5 of the Criminal Code of 2012;

22 (7.13) if convicted of a sex offense as defined in
23 Section 2 of the Sex Offender Registration Act committed on
24 or after January 1, 2010 (the effective date of Public Act
25 96-362) that requires the person to register as a sex
26 offender under that Act, may not knowingly use any computer

1 scrub software on any computer that the sex offender uses;

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

4 (9) obtain permission of an agent of the Department of
5 Corrections before changing his or her residence or
6 employment;

7 (10) consent to a search of his or her person,
8 property, or residence under his or her control;

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

14 (12) not knowingly frequent places where controlled
15 substances are illegally sold, used, distributed, or
16 administered;

17 (13) not knowingly associate with other persons on
18 parole or mandatory supervised release without prior
19 written permission of his or her parole agent, ~~except when~~
20 ~~the association involves activities related to community~~
21 ~~programs, worship services, volunteering, and engaging~~
22 ~~families,~~ and not associate with persons who are members of
23 an organized gang as that term is defined in the Illinois
24 Streetgang Terrorism Omnibus Prevention Act, except when
25 the association involves activities related to community
26 programs, worship, services, volunteering, engaging

1 families, or some other pro-social activity in which there
2 is no evidence of criminal intent;

3 (14) provide true and accurate information, as it
4 relates to his or her adjustment in the community while on
5 parole or mandatory supervised release or to his or her
6 conduct while incarcerated, in response to inquiries by his
7 or her parole agent or of the Department of Corrections;

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

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

26 (17) if convicted of a violation of an order of

1 protection under Section 12-3.4 or Section 12-30 of the
2 Criminal Code of 1961 or the Criminal Code of 2012, be
3 placed under electronic surveillance as provided in
4 Section 5-8A-7 of this Code;

5 (18) comply with the terms and conditions of an order
6 of protection issued pursuant to the Illinois Domestic
7 Violence Act of 1986; an order of protection issued by the
8 court of another state, tribe, or United States territory;
9 a no contact order issued pursuant to the Civil No Contact
10 Order Act; or a no contact order issued pursuant to the
11 Stalking No Contact Order Act;

12 (19) if convicted of a violation of the Methamphetamine
13 Control and Community Protection Act, the Methamphetamine
14 Precursor Control Act, or a methamphetamine related
15 offense, be:

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

19 (B) prohibited from purchasing, possessing, or
20 having under his or her control any product containing
21 ammonium nitrate;

22 (20) if convicted of a hate crime under Section 12-7.1
23 of the Criminal Code of 2012, perform public or community
24 service of no less than 200 hours and enroll in an
25 educational program discouraging hate crimes involving the
26 protected class identified in subsection (a) of Section

1 12-7.1 of the Criminal Code of 2012 that gave rise to the
2 offense the offender committed ordered by the court; and

3 (21) be evaluated by the Department of Corrections
4 prior to release using a validated risk assessment and be
5 subject to a corresponding level of supervision. In
6 accordance with the findings of that evaluation:

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

24 (B) All subjects found to be at a low risk to
25 recidivate shall be subject to low-level supervision,
26 except for those subjects on parole or mandatory

1 supervised release for first degree murder, a forcible
2 felony as defined in Section 2-8 of the Criminal Code
3 of 2012, any felony that requires registration as a sex
4 offender under the Sex Offender Registration Act, or a
5 Class X felony or Class 1 felony that is not a
6 violation of the Cannabis Control Act, the Illinois
7 Controlled Substances Act, or the Methamphetamine
8 Control and Community Protection Act. Low level
9 supervision shall require the subject to check in with
10 the supervising officer via phone or other electronic
11 means. Notwithstanding this placement on low level
12 supervision, placement of the subject on electronic
13 monitoring or detention shall not occur unless it is
14 required by law or expressly ordered or approved by the
15 Prisoner Review Board.

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

18 (1) work or pursue a course of study or vocational
19 training;

20 (2) undergo medical or psychiatric treatment, or
21 treatment for drug addiction or alcoholism;

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

24 (4) support his or her dependents;

25 (5) (blank);

26 (6) (blank);

1 (7) (blank);

2 (7.5) if convicted for an offense committed on or after
3 the effective date of this amendatory Act of the 95th
4 General Assembly that would qualify the accused as a child
5 sex offender as defined in Section 11-9.3 or 11-9.4 of the
6 Criminal Code of 1961 or the Criminal Code of 2012, refrain
7 from communicating with or contacting, by means of the
8 Internet, a person who is related to the accused and whom
9 the accused reasonably believes to be under 18 years of
10 age; for purposes of this paragraph (7.5), "Internet" has
11 the meaning ascribed to it in Section 16-0.1 of the
12 Criminal Code of 2012; and a person is related to the
13 accused if the person is: (i) the spouse, brother, or
14 sister of the accused; (ii) a descendant of the accused;
15 (iii) a first or second cousin of the accused; or (iv) a
16 step-child or adopted child of the accused;

17 (7.6) if convicted for an offense committed on or after
18 June 1, 2009 (the effective date of Public Act 95-983) that
19 would qualify as a sex offense as defined in the Sex
20 Offender Registration Act:

21 (i) not access or use a computer or any other
22 device with Internet capability without the prior
23 written approval of the Department;

24 (ii) submit to periodic unannounced examinations
25 of the offender's computer or any other device with
26 Internet capability by the offender's supervising

1 agent, a law enforcement officer, or assigned computer
2 or information technology specialist, including the
3 retrieval and copying of all data from the computer or
4 device and any internal or external peripherals and
5 removal of such information, equipment, or device to
6 conduct a more thorough inspection;

7 (iii) submit to the installation on the offender's
8 computer or device with Internet capability, at the
9 offender's expense, of one or more hardware or software
10 systems to monitor the Internet use; and

11 (iv) submit to any other appropriate restrictions
12 concerning the offender's use of or access to a
13 computer or any other device with Internet capability
14 imposed by the Board, the Department or the offender's
15 supervising agent; and

16 (8) in addition, if a minor:

17 (i) reside with his or her parents or in a foster
18 home;

19 (ii) attend school;

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

21 or

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

24 (b-1) In addition to the conditions set forth in
25 subsections (a) and (b), persons required to register as sex
26 offenders pursuant to the Sex Offender Registration Act, upon

1 release from the custody of the Illinois Department of
2 Corrections, may be required by the Board to comply with the
3 following specific conditions of release:

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

5 (2) comply with all requirements of the Sex Offender
6 Registration Act;

7 (3) notify third parties of the risks that may be
8 occasioned by his or her criminal record;

9 (4) obtain the approval of an agent of the Department
10 of Corrections prior to accepting employment or pursuing a
11 course of study or vocational training and notify the
12 Department prior to any change in employment, study, or
13 training;

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

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

20 (7) refrain from entering into a designated geographic
21 area except upon terms approved in advance by an agent of
22 the Department of Corrections. The terms may include
23 consideration of the purpose of the entry, the time of day,
24 and others accompanying the person;

25 (8) refrain from having any contact, including written
26 or oral communications, directly or indirectly, personally

1 or by telephone, letter, or through a third party with
2 certain specified persons including, but not limited to,
3 the victim or the victim's family without the prior written
4 approval of an agent of the Department of Corrections;

5 (9) refrain from all contact, directly or indirectly,
6 personally, by telephone, letter, or through a third party,
7 with minor children without prior identification and
8 approval of an agent of the Department of Corrections;

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

18 (11) not patronize any business providing sexually
19 stimulating or sexually oriented entertainment nor utilize
20 "900" or adult telephone numbers;

21 (12) not reside near, visit, or be in or about parks,
22 schools, day care centers, swimming pools, beaches,
23 theaters, or any other places where minor children
24 congregate without advance approval of an agent of the
25 Department of Corrections and immediately report any
26 incidental contact with minor children to the Department;

1 (13) not possess or have under his or her control
2 certain specified items of contraband related to the
3 incidence of sexually offending as determined by an agent
4 of the Department of Corrections;

5 (14) may be required to provide a written daily log of
6 activities if directed by an agent of the Department of
7 Corrections;

8 (15) comply with all other special conditions that the
9 Department may impose that restrict the person from
10 high-risk situations and limit access to potential
11 victims;

12 (16) take an annual polygraph exam;

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

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

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

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

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

5 (f) (Blank).

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

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.".