



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4590

Introduced 2/5/2020, by Rep. Camille Y. Lilly

SYNOPSIS AS INTRODUCED:

New Act

15 ILCS 335/4

from Ch. 124, par. 24

730 ILCS 5/3-2.5-75

730 ILCS 5/3-14-1

from Ch. 38, par. 1003-14-1

Creates the Reporting of Deaths in Custody Act. Provides that in any case in which a person dies while in the custody of: (1) any law enforcement agency, (2) a local or State correctional facility in the State, or (3) a peace officer or as a result of the peace officer's use of force, the law enforcement agency shall investigate and report the death in writing to the Attorney General, no later than 30 days after the date on which the person in custody or incarcerated died. Provides information that must be contained in the report. Provides that the report shall be a public record under the Freedom of Information Act. Provides that the Attorney General shall issue a public annual report tabulating and evaluating trends and information on deaths in custody. Provides that the family, next of kin, or any other person reasonably nominated by the decedent as an emergency contact shall be notified as soon as possible in a suitable manner giving an accurate factual account of the cause of death and circumstances surrounding the death in custody. Amends the Illinois Identification Card Act and the Unified Code of Corrections concerning reports the Secretary of State, Department of Juvenile Justice, and the Department of Corrections shall make to the General Assembly. Provides that the Secretary of State, Department of Juvenile Justice, and the Department of Corrections shall publish the reports on their respective websites.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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. Short title. This Act may be cited as the
5 Reporting of Deaths in Custody Act.

6 Section 5. Report of deaths of persons in custody in
7 correctional institutions.

8 (a) In this Act, "law enforcement agency" includes each law
9 enforcement entity within this State having the authority to
10 arrest and detain persons suspected of, or charged with,
11 committing a criminal offense, and each law enforcement entity
12 that operates a lock up, jail, prison, or any other facility
13 used to detain persons for legitimate law enforcement purposes.

14 (b) In any case in which a person dies:

15 (1) while in the custody of:

16 (A) a law enforcement agency;

17 (B) a local or State correctional facility in this
18 State; or

19 (C) a peace officer; or

20 (2) as a result of the peace officer's use of force,

21 the law enforcement agency shall investigate and report the
22 death in writing to the Attorney General, no later than 30 days
23 after the date on which the person in custody or incarcerated

1 died. The written report shall contain the following
2 information:

3 (1) facts concerning the death that are in the
4 possession of the law enforcement agency in charge of the
5 investigation and the correctional facility where the
6 death occurred including, but not limited to, cause and
7 manner of death, race, age, and gender of the decedent;

8 (2) the jurisdiction, the law enforcement agency
9 providing the investigation, and the local or State
10 facility where the death occurred;

11 (3) if emergency care was requested by the law
12 enforcement agency in response to any illness, injury,
13 self-inflicted or otherwise, or other issue related to
14 rapid deterioration of physical wellness or human
15 subsistence, and details concerning emergency care that
16 was provided to the decedent if emergency care was
17 provided.

18 (c) The law enforcement agency and the involved
19 correctional administrators shall make a good faith effort to
20 obtain all relevant facts and circumstances relevant to the
21 death and include those in the report.

22 (d) The Attorney General shall create a standardized form
23 to be used for the purpose of collecting information as
24 described in subsection (b).

25 (e) Law enforcement agencies shall use the form described
26 in subsection (d) to report all cases in which a person dies:

- 1 (1) while in the custody of:
- 2 (A) a law enforcement agency;
- 3 (B) a local or State correctional facility in this
- 4 State; or
- 5 (C) a peace officer; or
- 6 (2) as a result of the peace officer's use of force.
- 7 (f) The Attorney General may determine the manner in which
- 8 the form is transmitted from a law enforcement agency to the
- 9 Attorney General.
- 10 (g) The reports shall be public records within the meaning
- 11 of subsection (c) of Section 2 of the Freedom of Information
- 12 Act and are open to public inspection, with the exception of
- 13 any portion of the report that the Attorney General determines
- 14 is privileged or protected under Illinois or federal law.
- 15 (h) The Attorney General shall make available to the public
- 16 information of all individual reports relating to deaths in
- 17 custody through the Attorney General's website to be updated on
- 18 a quarterly basis.
- 19 (i) The Attorney General shall issue a public annual report
- 20 tabulating and evaluating trends and information on deaths in
- 21 custody, including, but not limited to:
- 22 (1) information regarding cause and manner of death,
- 23 race, and the gender of the decedent;
- 24 (2) the jurisdiction, law enforcement agency providing
- 25 the investigation, and local or State facility where the
- 26 death occurred; and

1 (3) recommendations and State and local efforts
2 underway to reduce deaths in custody.

3 The report shall be submitted to the Governor and General
4 Assembly and made available to the public on the Attorney
5 General's website the first week of February of each year.

6 (j) So that the State may oversee the healthcare provided
7 to any person in the custody of each law enforcement agency
8 within this State, provision of medical services to these
9 persons, general care and treatment, and any other factors that
10 may contribute to the death of any of these persons, the
11 following information shall be made available to the public on
12 the Attorney General's website:

13 (1) the number of deaths that occurred during the
14 preceding calendar year;

15 (2) the known, or discoverable upon reasonable
16 inquiry, causes and contributing factors of each of the
17 in-custody deaths as defined in subsection (b); and

18 (3) the law enforcement agency's policies, procedures,
19 and protocols related to:

20 (A) treatment of a person experiencing withdrawal
21 from alcohol or substance use;

22 (B) the facility's provision, or lack of
23 provision, of medications used to treat, mitigate, or
24 address a person's symptoms; and

25 (C) notifying an inmate's next of kin after the
26 inmate's in-custody death.

1 (k) The family, next of kin, or any other person reasonably
2 nominated by the decedent as an emergency contact shall be
3 notified as soon as possible in a suitable manner giving an
4 accurate factual account of the cause of death and
5 circumstances surrounding the death in custody.

6 (l) The law enforcement agency or correctional facility
7 shall name a staff person to act as dedicated family liaison
8 officer to be a point of contact for the family, to make and
9 maintain contact with the family, to report ongoing
10 developments and findings of investigations, and to provide
11 information and practical support. If requested by the
12 deceased's next of kin, the law enforcement agency or
13 correctional facility shall arrange for a chaplain, counselor,
14 or other suitable staff member to meet with the family and
15 discuss any faith considerations or concerns. The family has a
16 right to the medical records of a family member who has died in
17 custody and these records shall be disclosed to them.

18 (m) It is unlawful for a person who is required under this
19 Section to investigate a death or file a report to fail to
20 include in the report facts known or discovered in the
21 investigation to the Attorney General. A violation of this
22 Section is a petty offense, with fine not to exceed \$500.

23 Section 105. The Illinois Identification Card Act is
24 amended by changing Section 4 as follows:

1 (15 ILCS 335/4) (from Ch. 124, par. 24)

2 Sec. 4. Identification card.

3 (a) The Secretary of State shall issue a standard Illinois
4 Identification Card to any natural person who is a resident of
5 the State of Illinois who applies for such card, or renewal
6 thereof. No identification card shall be issued to any person
7 who holds a valid foreign state identification card, license,
8 or permit unless the person first surrenders to the Secretary
9 of State the valid foreign state identification card, license,
10 or permit. The card shall be prepared and supplied by the
11 Secretary of State and shall include a photograph and signature
12 or mark of the applicant. However, the Secretary of State may
13 provide by rule for the issuance of Illinois Identification
14 Cards without photographs if the applicant has a bona fide
15 religious objection to being photographed or to the display of
16 his or her photograph. The Illinois Identification Card may be
17 used for identification purposes in any lawful situation only
18 by the person to whom it was issued. As used in this Act,
19 "photograph" means any color photograph or digitally produced
20 and captured image of an applicant for an identification card.
21 As used in this Act, "signature" means the name of a person as
22 written by that person and captured in a manner acceptable to
23 the Secretary of State.

24 (a-5) If an applicant for an identification card has a
25 current driver's license or instruction permit issued by the
26 Secretary of State, the Secretary may require the applicant to

1 utilize the same residence address and name on the
2 identification card, driver's license, and instruction permit
3 records maintained by the Secretary. The Secretary may
4 promulgate rules to implement this provision.

5 (a-10) If the applicant is a judicial officer as defined in
6 Section 1-10 of the Judicial Privacy Act or a peace officer,
7 the applicant may elect to have his or her office or work
8 address listed on the card instead of the applicant's residence
9 or mailing address. The Secretary may promulgate rules to
10 implement this provision. For the purposes of this subsection
11 (a-10), "peace officer" means any person who by virtue of his
12 or her office or public employment is vested by law with a duty
13 to maintain public order or to make arrests for a violation of
14 any penal statute of this State, whether that duty extends to
15 all violations or is limited to specific violations.

16 (a-15) The Secretary of State may provide for an expedited
17 process for the issuance of an Illinois Identification Card.
18 The Secretary shall charge an additional fee for the expedited
19 issuance of an Illinois Identification Card, to be set by rule,
20 not to exceed \$75. All fees collected by the Secretary for
21 expedited Illinois Identification Card service shall be
22 deposited into the Secretary of State Special Services Fund.
23 The Secretary may adopt rules regarding the eligibility,
24 process, and fee for an expedited Illinois Identification Card.
25 If the Secretary of State determines that the volume of
26 expedited identification card requests received on a given day

1 exceeds the ability of the Secretary to process those requests
2 in an expedited manner, the Secretary may decline to provide
3 expedited services, and the additional fee for the expedited
4 service shall be refunded to the applicant.

5 (a-20) The Secretary of State shall issue a standard
6 Illinois Identification Card to a committed person upon release
7 on parole, mandatory supervised release, aftercare release,
8 final discharge, or pardon from the Department of Corrections
9 or Department of Juvenile Justice, if the released person
10 presents a certified copy of his or her birth certificate,
11 social security card or other documents authorized by the
12 Secretary, and 2 documents proving his or her Illinois
13 residence address. Documents proving residence address may
14 include any official document of the Department of Corrections
15 or the Department of Juvenile Justice showing the released
16 person's address after release and a Secretary of State
17 prescribed certificate of residency form, which may be executed
18 by Department of Corrections or Department of Juvenile Justice
19 personnel.

20 (a-25) The Secretary of State shall issue a limited-term
21 Illinois Identification Card valid for 90 days to a committed
22 person upon release on parole, mandatory supervised release,
23 aftercare release, final discharge, or pardon from the
24 Department of Corrections or Department of Juvenile Justice, if
25 the released person is unable to present a certified copy of
26 his or her birth certificate and social security card or other

1 documents authorized by the Secretary, but does present a
2 Secretary of State prescribed verification form completed by
3 the Department of Corrections or Department of Juvenile
4 Justice, verifying the released person's date of birth and
5 social security number and 2 documents proving his or her
6 Illinois residence address. The verification form must have
7 been completed no more than 30 days prior to the date of
8 application for the Illinois Identification Card. Documents
9 proving residence address shall include any official document
10 of the Department of Corrections or the Department of Juvenile
11 Justice showing the person's address after release and a
12 Secretary of State prescribed certificate of residency, which
13 may be executed by Department of Corrections or Department of
14 Juvenile Justice personnel.

15 Prior to the expiration of the 90-day period of the
16 limited-term Illinois Identification Card, if the released
17 person submits to the Secretary of State a certified copy of
18 his or her birth certificate and his or her social security
19 card or other documents authorized by the Secretary, a standard
20 Illinois Identification Card shall be issued. A limited-term
21 Illinois Identification Card may not be renewed.

22 (a-26) The Secretary of State shall track and issue an
23 annual report to the General Assembly detailing the number of
24 permanent Illinois Identification Cards issued by the
25 Secretary of State to persons presenting verification forms
26 issued by the Department of Juvenile Justice and Department of

1 Corrections. The report shall include comparable data from the
2 previous calendar year and shall reflect any increases or
3 decreases. The Secretary of State shall publish the report on
4 the Secretary of State's website.

5 (a-30) The Secretary of State shall issue a standard
6 Illinois Identification Card to a person upon conditional
7 release or absolute discharge from the custody of the
8 Department of Human Services, if the person presents a
9 certified copy of his or her birth certificate, social security
10 card, or other documents authorized by the Secretary, and a
11 document proving his or her Illinois residence address. The
12 Secretary of State shall issue a standard Illinois
13 Identification Card to a person no sooner than 14 days prior to
14 his or her conditional release or absolute discharge if
15 personnel from the Department of Human Services bring the
16 person to a Secretary of State location with the required
17 documents. Documents proving residence address may include any
18 official document of the Department of Human Services showing
19 the person's address after release and a Secretary of State
20 prescribed verification form, which may be executed by
21 personnel of the Department of Human Services.

22 (a-35) The Secretary of State shall issue a limited-term
23 Illinois Identification Card valid for 90 days to a person upon
24 conditional release or absolute discharge from the custody of
25 the Department of Human Services, if the person is unable to
26 present a certified copy of his or her birth certificate and

1 social security card or other documents authorized by the
2 Secretary, but does present a Secretary of State prescribed
3 verification form completed by the Department of Human
4 Services, verifying the person's date of birth and social
5 security number, and a document proving his or her Illinois
6 residence address. The verification form must have been
7 completed no more than 30 days prior to the date of application
8 for the Illinois Identification Card. The Secretary of State
9 shall issue a limited-term Illinois Identification Card to a
10 person no sooner than 14 days prior to his or her conditional
11 release or absolute discharge if personnel from the Department
12 of Human Services bring the person to a Secretary of State
13 location with the required documents. Documents proving
14 residence address shall include any official document of the
15 Department of Human Services showing the person's address after
16 release and a Secretary of State prescribed verification form,
17 which may be executed by personnel of the Department of Human
18 Services.

19 (b) The Secretary of State shall issue a special Illinois
20 Identification Card, which shall be known as an Illinois Person
21 with a Disability Identification Card, to any natural person
22 who is a resident of the State of Illinois, who is a person
23 with a disability as defined in Section 4A of this Act, who
24 applies for such card, or renewal thereof. No Illinois Person
25 with a Disability Identification Card shall be issued to any
26 person who holds a valid foreign state identification card,

1 license, or permit unless the person first surrenders to the
2 Secretary of State the valid foreign state identification card,
3 license, or permit. The Secretary of State shall charge no fee
4 to issue such card. The card shall be prepared and supplied by
5 the Secretary of State, and shall include a photograph and
6 signature or mark of the applicant, a designation indicating
7 that the card is an Illinois Person with a Disability
8 Identification Card, and shall include a comprehensible
9 designation of the type and classification of the applicant's
10 disability as set out in Section 4A of this Act. However, the
11 Secretary of State may provide by rule for the issuance of
12 Illinois Person with a Disability Identification Cards without
13 photographs if the applicant has a bona fide religious
14 objection to being photographed or to the display of his or her
15 photograph. If the applicant so requests, the card shall
16 include a description of the applicant's disability and any
17 information about the applicant's disability or medical
18 history which the Secretary determines would be helpful to the
19 applicant in securing emergency medical care. If a mark is used
20 in lieu of a signature, such mark shall be affixed to the card
21 in the presence of two witnesses who attest to the authenticity
22 of the mark. The Illinois Person with a Disability
23 Identification Card may be used for identification purposes in
24 any lawful situation by the person to whom it was issued.

25 The Illinois Person with a Disability Identification Card
26 may be used as adequate documentation of disability in lieu of

1 a physician's determination of disability, a determination of
2 disability from a physician assistant, a determination of
3 disability from an advanced practice registered nurse, or any
4 other documentation of disability whenever any State law
5 requires that a person with a disability provide such
6 documentation of disability, however an Illinois Person with a
7 Disability Identification Card shall not qualify the
8 cardholder to participate in any program or to receive any
9 benefit which is not available to all persons with like
10 disabilities. Notwithstanding any other provisions of law, an
11 Illinois Person with a Disability Identification Card, or
12 evidence that the Secretary of State has issued an Illinois
13 Person with a Disability Identification Card, shall not be used
14 by any person other than the person named on such card to prove
15 that the person named on such card is a person with a
16 disability or for any other purpose unless the card is used for
17 the benefit of the person named on such card, and the person
18 named on such card consents to such use at the time the card is
19 so used.

20 An optometrist's determination of a visual disability
21 under Section 4A of this Act is acceptable as documentation for
22 the purpose of issuing an Illinois Person with a Disability
23 Identification Card.

24 When medical information is contained on an Illinois Person
25 with a Disability Identification Card, the Office of the
26 Secretary of State shall not be liable for any actions taken

1 based upon that medical information.

2 (c) The Secretary of State shall provide that each original
3 or renewal Illinois Identification Card or Illinois Person with
4 a Disability Identification Card issued to a person under the
5 age of 21 shall be of a distinct nature from those Illinois
6 Identification Cards or Illinois Person with a Disability
7 Identification Cards issued to individuals 21 years of age or
8 older. The color designated for Illinois Identification Cards
9 or Illinois Person with a Disability Identification Cards for
10 persons under the age of 21 shall be at the discretion of the
11 Secretary of State.

12 (c-1) Each original or renewal Illinois Identification
13 Card or Illinois Person with a Disability Identification Card
14 issued to a person under the age of 21 shall display the date
15 upon which the person becomes 18 years of age and the date upon
16 which the person becomes 21 years of age.

17 (c-3) The General Assembly recognizes the need to identify
18 military veterans living in this State for the purpose of
19 ensuring that they receive all of the services and benefits to
20 which they are legally entitled, including healthcare,
21 education assistance, and job placement. To assist the State in
22 identifying these veterans and delivering these vital services
23 and benefits, the Secretary of State is authorized to issue
24 Illinois Identification Cards and Illinois Person with a
25 Disability Identification Cards with the word "veteran"
26 appearing on the face of the cards. This authorization is

1 predicated on the unique status of veterans. The Secretary may
2 not issue any other identification card which identifies an
3 occupation, status, affiliation, hobby, or other unique
4 characteristics of the identification card holder which is
5 unrelated to the purpose of the identification card.

6 (c-5) Beginning on or before July 1, 2015, the Secretary of
7 State shall designate a space on each original or renewal
8 identification card where, at the request of the applicant, the
9 word "veteran" shall be placed. The veteran designation shall
10 be available to a person identified as a veteran under
11 subsection (b) of Section 5 of this Act who was discharged or
12 separated under honorable conditions.

13 (d) The Secretary of State may issue a Senior Citizen
14 discount card, to any natural person who is a resident of the
15 State of Illinois who is 60 years of age or older and who
16 applies for such a card or renewal thereof. The Secretary of
17 State shall charge no fee to issue such card. The card shall be
18 issued in every county and applications shall be made available
19 at, but not limited to, nutrition sites, senior citizen centers
20 and Area Agencies on Aging. The applicant, upon receipt of such
21 card and prior to its use for any purpose, shall have affixed
22 thereon in the space provided therefor his signature or mark.

23 (e) The Secretary of State, in his or her discretion, may
24 designate on each Illinois Identification Card or Illinois
25 Person with a Disability Identification Card a space where the
26 card holder may place a sticker or decal, issued by the

1 Secretary of State, of uniform size as the Secretary may
2 specify, that shall indicate in appropriate language that the
3 card holder has renewed his or her Illinois Identification Card
4 or Illinois Person with a Disability Identification Card.

5 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
6 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff. 7-1-17;
7 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

8 Section 110. The Unified Code of Corrections is amended by
9 changing Sections 3-2.5-75 and 3-14-1 as follows:

10 (730 ILCS 5/3-2.5-75)

11 Sec. 3-2.5-75. Release from Department of Juvenile
12 Justice.

13 (a) Upon release of a youth on aftercare, the Department
14 shall return all property held for the youth, provide the youth
15 with suitable clothing, and procure necessary transportation
16 for the youth to his or her designated place of residence and
17 employment. It may provide the youth with a grant of money for
18 travel and expenses which may be paid in installments. The
19 amount of the money grant shall be determined by the
20 Department.

21 (b) Before a wrongfully imprisoned person, as defined in
22 Section 3-1-2 of this Code, is discharged from the Department,
23 the Department shall provide him or her with any documents
24 necessary after discharge.

1 (c) The Department of Juvenile Justice may establish and
2 maintain, in any institution it administers, revolving funds to
3 be known as "Travel and Allowances Revolving Funds". These
4 revolving funds shall be used for advancing travel and expense
5 allowances to committed, released, and discharged youth. The
6 moneys paid into these revolving funds shall be from
7 appropriations to the Department for committed, released, and
8 discharged prisoners.

9 (d) Upon the release of a youth on aftercare, the
10 Department shall provide that youth with information
11 concerning programs and services of the Department of Public
12 Health to ascertain whether that youth has been exposed to the
13 human immunodeficiency virus (HIV) or any identified causative
14 agent of Acquired Immunodeficiency Syndrome (AIDS).

15 (e) Upon the release of a youth on aftercare or who has
16 been wrongfully imprisoned, the Department shall verify the
17 youth's full name, date of birth, and social security number.
18 If verification is made by the Department by obtaining a
19 certified copy of the youth's birth certificate and the youth's
20 social security card or other documents authorized by the
21 Secretary, the Department shall provide the birth certificate
22 and social security card or other documents authorized by the
23 Secretary to the youth. If verification is done by means other
24 than obtaining a certified copy of the youth's birth
25 certificate and the youth's social security card or other
26 documents authorized by the Secretary, the Department shall

1 complete a verification form, prescribed by the Secretary of
2 State and shall provide that verification form to the youth.

3 (f) In order to determine how many persons released from
4 incarceration in the Department of Juvenile Justice obtained
5 permanent Illinois Identification Cards, the Department of
6 Juvenile Justice shall track and issue an annual report to the
7 General Assembly detailing the number of birth certificates
8 obtained for persons while in its custody, the number of social
9 security cards obtained for persons while in its custody, and
10 the number of verification forms issued to persons in its
11 custody within 30 days of a person's release from custody. The
12 report shall include comparable data from the previous calendar
13 year and shall reflect any increases or decreases. The
14 Department of Juvenile Justice shall publish the reports on its
15 website.

16 (Source: P.A. 98-558, eff. 1-1-14; 98-685, eff. 1-1-15; 99-907,
17 eff. 7-1-17.)

18 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

19 Sec. 3-14-1. Release from the institution.

20 (a) Upon release of a person on parole, mandatory release,
21 final discharge or pardon the Department shall return all
22 property held for him, provide him with suitable clothing and
23 procure necessary transportation for him to his designated
24 place of residence and employment. It may provide such person
25 with a grant of money for travel and expenses which may be paid

1 in installments. The amount of the money grant shall be
2 determined by the Department.

3 (a-1) The Department shall, before a wrongfully imprisoned
4 person, as defined in Section 3-1-2 of this Code, is discharged
5 from the Department, provide him or her with any documents
6 necessary after discharge.

7 (a-2) The Department of Corrections may establish and
8 maintain, in any institution it administers, revolving funds to
9 be known as "Travel and Allowances Revolving Funds". These
10 revolving funds shall be used for advancing travel and expense
11 allowances to committed, paroled, and discharged prisoners.
12 The moneys paid into such revolving funds shall be from
13 appropriations to the Department for Committed, Paroled, and
14 Discharged Prisoners.

15 (a-3) Upon release of a person who is eligible to vote on
16 parole, mandatory release, final discharge, or pardon, the
17 Department shall provide the person with a form that informs
18 him or her that his or her voting rights have been restored and
19 a voter registration application. The Department shall have
20 available voter registration applications in the languages
21 provided by the Illinois State Board of Elections. The form
22 that informs the person that his or her rights have been
23 restored shall include the following information:

24 (1) All voting rights are restored upon release from
25 the Department's custody.

26 (2) A person who is eligible to vote must register in

1 order to be able to vote.

2 The Department of Corrections shall confirm that the person
3 received the voter registration application and has been
4 informed that his or her voting rights have been restored.

5 (a-4) ~~(a-3)~~ Prior to release of a person on parole,
6 mandatory supervised release, final discharge, or pardon, the
7 Department shall screen every person for Medicaid eligibility.
8 Officials of the correctional institution or facility where the
9 committed person is assigned shall assist an eligible person to
10 complete a Medicaid application to ensure that the person
11 begins receiving benefits as soon as possible after his or her
12 release. The application must include the eligible person's
13 address associated with his or her residence upon release from
14 the facility. If the residence is temporary, the eligible
15 person must notify the Department of Human Services of his or
16 her change in address upon transition to permanent housing.

17 (b) (Blank).

18 (c) Except as otherwise provided in this Code, the
19 Department shall establish procedures to provide written
20 notification of any release of any person who has been
21 convicted of a felony to the State's Attorney and sheriff of
22 the county from which the offender was committed, and the
23 State's Attorney and sheriff of the county into which the
24 offender is to be paroled or released. Except as otherwise
25 provided in this Code, the Department shall establish
26 procedures to provide written notification to the proper law

1 enforcement agency for any municipality of any release of any
2 person who has been convicted of a felony if the arrest of the
3 offender or the commission of the offense took place in the
4 municipality, if the offender is to be paroled or released into
5 the municipality, or if the offender resided in the
6 municipality at the time of the commission of the offense. If a
7 person convicted of a felony who is in the custody of the
8 Department of Corrections or on parole or mandatory supervised
9 release informs the Department that he or she has resided,
10 resides, or will reside at an address that is a housing
11 facility owned, managed, operated, or leased by a public
12 housing agency, the Department must send written notification
13 of that information to the public housing agency that owns,
14 manages, operates, or leases the housing facility. The written
15 notification shall, when possible, be given at least 14 days
16 before release of the person from custody, or as soon
17 thereafter as possible. The written notification shall be
18 provided electronically if the State's Attorney, sheriff,
19 proper law enforcement agency, or public housing agency has
20 provided the Department with an accurate and up to date email
21 address.

22 (c-1) (Blank).

23 (c-2) The Department shall establish procedures to provide
24 notice to the Department of State Police of the release or
25 discharge of persons convicted of violations of the
26 Methamphetamine Control and Community Protection Act or a

1 violation of the Methamphetamine Precursor Control Act. The
2 Department of State Police shall make this information
3 available to local, State, or federal law enforcement agencies
4 upon request.

5 (c-5) If a person on parole or mandatory supervised release
6 becomes a resident of a facility licensed or regulated by the
7 Department of Public Health, the Illinois Department of Public
8 Aid, or the Illinois Department of Human Services, the
9 Department of Corrections shall provide copies of the following
10 information to the appropriate licensing or regulating
11 Department and the licensed or regulated facility where the
12 person becomes a resident:

13 (1) The mittimus and any pre-sentence investigation
14 reports.

15 (2) The social evaluation prepared pursuant to Section
16 3-8-2.

17 (3) Any pre-release evaluation conducted pursuant to
18 subsection (j) of Section 3-6-2.

19 (4) Reports of disciplinary infractions and
20 dispositions.

21 (5) Any parole plan, including orders issued by the
22 Prisoner Review Board, and any violation reports and
23 dispositions.

24 (6) The name and contact information for the assigned
25 parole agent and parole supervisor.

26 This information shall be provided within 3 days of the

1 person becoming a resident of the facility.

2 (c-10) If a person on parole or mandatory supervised
3 release becomes a resident of a facility licensed or regulated
4 by the Department of Public Health, the Illinois Department of
5 Public Aid, or the Illinois Department of Human Services, the
6 Department of Corrections shall provide written notification
7 of such residence to the following:

8 (1) The Prisoner Review Board.

9 (2) The chief of police and sheriff in the municipality
10 and county in which the licensed facility is located.

11 The notification shall be provided within 3 days of the
12 person becoming a resident of the facility.

13 (d) Upon the release of a committed person on parole,
14 mandatory supervised release, final discharge or pardon, the
15 Department shall provide such person with information
16 concerning programs and services of the Illinois Department of
17 Public Health to ascertain whether such person has been exposed
18 to the human immunodeficiency virus (HIV) or any identified
19 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

20 (e) Upon the release of a committed person on parole,
21 mandatory supervised release, final discharge, pardon, or who
22 has been wrongfully imprisoned, the Department shall verify the
23 released person's full name, date of birth, and social security
24 number. If verification is made by the Department by obtaining
25 a certified copy of the released person's birth certificate and
26 the released person's social security card or other documents

1 authorized by the Secretary, the Department shall provide the
2 birth certificate and social security card or other documents
3 authorized by the Secretary to the released person. If
4 verification by the Department is done by means other than
5 obtaining a certified copy of the released person's birth
6 certificate and the released person's social security card or
7 other documents authorized by the Secretary, the Department
8 shall complete a verification form, prescribed by the Secretary
9 of State, and shall provide that verification form to the
10 released person.

11 (f) Forty-five days prior to the scheduled discharge of a
12 person committed to the custody of the Department of
13 Corrections, the Department shall give the person who is
14 otherwise uninsured an opportunity to apply for health care
15 coverage including medical assistance under Article V of the
16 Illinois Public Aid Code in accordance with subsection (b) of
17 Section 1-8.5 of the Illinois Public Aid Code, and the
18 Department of Corrections shall provide assistance with
19 completion of the application for health care coverage
20 including medical assistance. The Department may adopt rules to
21 implement this Section.

22 (g) In order to determine how many persons released from
23 incarceration in the Department obtained permanent Illinois
24 Identification Cards, the Department shall track and issue an
25 annual report to the General Assembly detailing the number of
26 birth certificates obtained for persons while in its custody,

1 the number of social security cards obtained for persons while
2 in its custody, and the number of verification forms issued to
3 persons in its custody within 30 days of a person's release
4 from custody. The report shall include comparable data from the
5 previous calendar year and shall reflect any increases or
6 decreases. The Department shall publish the reports on its
7 website.

8 (Source: P.A. 101-351, eff. 1-1-20; 101-442, eff. 1-1-20;
9 revised 9-9-19.)