



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0803

Introduced 2/10/2021, by Rep. Will Guzzardi

#### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-3-2	from Ch. 38, par. 1003-3-2
730 ILCS 5/3-3-4	from Ch. 38, par. 1003-3-4
730 ILCS 5/3-3-5	from Ch. 38, par. 1003-3-5

Amends the Unified Code of Corrections. Provides that the decision to parole and the conditions of parole for all prisoners who were sentenced for first degree murder or who received a minimum sentence of 20 years or more under the law in effect prior to February 1, 1978 shall be determined by a majority vote of the members of the Prisoner Review Board present and voting at the hearing in which the determination is made (rather than a majority vote of the Prisoner Review Board). Provides that within 15 days after the parole interview, the State's Attorney shall provide the attorney for the person eligible for parole with a copy of his or her letter in opposition to parole via certified mail. Provides that each party may respond to the other's written submissions made at the parole hearing within 5 business days of the en banc hearing. Provides that the Prisoner Review Board may, after denying parole, schedule a rehearing no later than 2 (rather than 5) years from the date of the parole denial, if the Board finds that it is not reasonable to expect that parole would be granted at a hearing prior to the scheduled rehearing date.

LRB102 11984 KMF 17320 b

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 5. The Unified Code of Corrections is amended by  
5 changing Sections 3-3-2, 3-3-4, and 3-3-5 as follows:

6 (730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)  
7 Sec. 3-3-2. Powers and duties.

8 (a) The Parole and Pardon Board is abolished and the term  
9 "Parole and Pardon Board" as used in any law of Illinois, shall  
10 read "Prisoner Review Board." After February 1, 1978 (the  
11 effective date of Public Act 81-1099) ~~this amendatory Act of~~  
12 ~~1977~~, the Prisoner Review Board shall provide by rule for the  
13 orderly transition of all files, records, and documents of the  
14 Parole and Pardon Board and for such other steps as may be  
15 necessary to effect an orderly transition and shall:

16 (1) hear by at least one member and through a panel of  
17 at least 3 members decide, cases of prisoners who were  
18 sentenced under the law in effect prior to February 1,  
19 1978 (the effective date of Public Act 81-1099) ~~this~~  
20 ~~amendatory Act of 1977~~, and who are eligible for parole;

21 (2) hear by at least one member and through a panel of  
22 at least 3 members decide, the conditions of parole and  
23 the time of discharge from parole, impose sanctions for

1 violations of parole, and revoke parole for those  
2 sentenced under the law in effect prior to February 1,  
3 1978 (the effective date of Public Act 81-1099) ~~this~~  
4 ~~amendatory Act of 1977~~; provided that the decision to  
5 parole and the conditions of parole for all prisoners who  
6 were sentenced for first degree murder or who received a  
7 minimum sentence of 20 years or more under the law in  
8 effect prior to February 1, 1978 shall be determined by a  
9 majority vote of the members of the Prisoner Review Board  
10 present and voting at the hearing in which the  
11 determination is made. One representative supporting  
12 parole and one representative opposing parole will be  
13 allowed to speak. Their comments shall be limited to  
14 making corrections and filling in omissions to the Board's  
15 presentation and discussion;

16 (3) hear by at least one member and through a panel of  
17 at least 3 members decide, the conditions of mandatory  
18 supervised release and the time of discharge from  
19 mandatory supervised release, impose sanctions for  
20 violations of mandatory supervised release, and revoke  
21 mandatory supervised release for those sentenced under the  
22 law in effect after February 1, 1978 (the effective date  
23 of Public Act 81-1099) ~~this amendatory Act of 1977~~;

24 (3.5) hear by at least one member and through a panel  
25 of at least 3 members decide, the conditions of mandatory  
26 supervised release and the time of discharge from

1 mandatory supervised release, to impose sanctions for  
2 violations of mandatory supervised release and revoke  
3 mandatory supervised release for those serving extended  
4 supervised release terms pursuant to paragraph (4) of  
5 subsection (d) of Section 5-8-1;

6 (3.6) hear by at least one member and through a panel  
7 of at least 3 members decide whether to revoke aftercare  
8 release for those committed to the Department of Juvenile  
9 Justice under the Juvenile Court Act of 1987;

10 (4) hear by at least one member and through a panel of  
11 at least 3 members, decide cases brought by the Department  
12 of Corrections against a prisoner in the custody of the  
13 Department for alleged violation of Department rules with  
14 respect to sentence credits under Section 3-6-3 of this  
15 Code in which the Department seeks to revoke sentence  
16 credits, if the amount of time at issue exceeds 30 days or  
17 when, during any 12-month ~~12-month~~ period, the cumulative  
18 amount of credit revoked exceeds 30 days except where the  
19 infraction is committed or discovered within 60 days of  
20 scheduled release. In such cases, the Department of  
21 Corrections may revoke up to 30 days of sentence credit.  
22 The Board may subsequently approve the revocation of  
23 additional sentence credit, if the Department seeks to  
24 revoke sentence credit in excess of 30 ~~thirty~~ days.  
25 However, the Board shall not be empowered to review the  
26 Department's decision with respect to the loss of 30 days

1 of sentence credit for any prisoner or to increase any  
2 penalty beyond the length requested by the Department;

3 (5) hear by at least one member and through a panel of  
4 at least 3 members decide, the release dates for certain  
5 prisoners sentenced under the law in existence prior to  
6 February 1, 1978 (the effective date of Public Act  
7 81-1099) ~~this amendatory Act of 1977~~, in accordance with  
8 Section 3-3-2.1 of this Code;

9 (6) hear by at least one member and through a panel of  
10 at least 3 members decide, all requests for pardon,  
11 reprieve or commutation, and make confidential  
12 recommendations to the Governor;

13 (6.5) hear by at least one member who is qualified in  
14 the field of juvenile matters and through a panel of at  
15 least 3 members, 2 of whom are qualified in the field of  
16 juvenile matters, decide parole review cases in accordance  
17 with Section 5-4.5-115 of this Code and make release  
18 determinations of persons under the age of 21 at the time  
19 of the commission of an offense or offenses, other than  
20 those persons serving sentences for first degree murder or  
21 aggravated criminal sexual assault;

22 (6.6) hear by at least a quorum of the Prisoner Review  
23 Board and decide by a majority of members present at the  
24 hearing, in accordance with Section 5-4.5-115 of this  
25 Code, release determinations of persons under the age of  
26 21 at the time of the commission of an offense or offenses

1 of those persons serving sentences for first degree murder  
2 or aggravated criminal sexual assault;

3 (7) comply with the requirements of the Open Parole  
4 Hearings Act;

5 (8) hear by at least one member and, through a panel of  
6 at least 3 members, decide cases brought by the Department  
7 of Corrections against a prisoner in the custody of the  
8 Department for court dismissal of a frivolous lawsuit  
9 pursuant to Section 3-6-3(d) of this Code in which the  
10 Department seeks to revoke up to 180 days of sentence  
11 credit, and if the prisoner has not accumulated 180 days  
12 of sentence credit at the time of the dismissal, then all  
13 sentence credit accumulated by the prisoner shall be  
14 revoked;

15 (9) hear by at least 3 members, and, through a panel of  
16 at least 3 members, decide whether to grant certificates  
17 of relief from disabilities or certificates of good  
18 conduct as provided in Article 5.5 of Chapter V;

19 (10) upon a petition by a person who has been  
20 convicted of a Class 3 or Class 4 felony and who meets the  
21 requirements of this paragraph, hear by at least 3 members  
22 and, with the unanimous vote of a panel of 3 members, issue  
23 a certificate of eligibility for sealing recommending that  
24 the court order the sealing of all official records of the  
25 arresting authority, the circuit court clerk, and the  
26 Department of State Police concerning the arrest and

1 conviction for the Class 3 or 4 felony. A person may not  
2 apply to the Board for a certificate of eligibility for  
3 sealing:

4 (A) until 5 years have elapsed since the  
5 expiration of his or her sentence;

6 (B) until 5 years have elapsed since any arrests  
7 or detentions by a law enforcement officer for an  
8 alleged violation of law, other than a petty offense,  
9 traffic offense, conservation offense, or local  
10 ordinance offense;

11 (C) if convicted of a violation of the Cannabis  
12 Control Act, Illinois Controlled Substances Act, the  
13 Methamphetamine Control and Community Protection Act,  
14 the Methamphetamine Precursor Control Act, or the  
15 Methamphetamine Precursor Tracking Act unless the  
16 petitioner has completed a drug abuse program for the  
17 offense on which sealing is sought and provides proof  
18 that he or she has completed the program successfully;

19 (D) if convicted of:

20 (i) a sex offense described in Article 11 or  
21 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of  
22 the Criminal Code of 1961 or the Criminal Code of  
23 2012;

24 (ii) aggravated assault;

25 (iii) aggravated battery;

26 (iv) domestic battery;

- 1 (v) aggravated domestic battery;
- 2 (vi) violation of an order of protection;
- 3 (vii) an offense under the Criminal Code of  
4 1961 or the Criminal Code of 2012 involving a  
5 firearm;
- 6 (viii) driving while under the influence of  
7 alcohol, other drug or drugs, intoxicating  
8 compound or compounds, or any combination thereof;
- 9 (ix) aggravated driving while under the  
10 influence of alcohol, other drug or drugs,  
11 intoxicating compound or compounds, or any  
12 combination thereof; or
- 13 (x) any crime defined as a crime of violence  
14 under Section 2 of the Crime Victims Compensation  
15 Act.

16 If a person has applied to the Board for a certificate  
17 of eligibility for sealing and the Board denies the  
18 certificate, the person must wait at least 4 years before  
19 filing again or filing for pardon from the Governor unless  
20 the Chairman of the Prisoner Review Board grants a waiver.

21 The decision to issue or refrain from issuing a  
22 certificate of eligibility for sealing shall be at the  
23 Board's sole discretion, and shall not give rise to any  
24 cause of action against either the Board or its members.

25 The Board may only authorize the sealing of Class 3  
26 and 4 felony convictions of the petitioner from one



1 information or indictment under this paragraph (10). A  
2 petitioner may only receive one certificate of eligibility  
3 for sealing under this provision for life; and

4 (11) upon a petition by a person who after having been  
5 convicted of a Class 3 or Class 4 felony thereafter served  
6 in the United States Armed Forces or National Guard of  
7 this or any other state and had received an honorable  
8 discharge from the United States Armed Forces or National  
9 Guard or who at the time of filing the petition is enlisted  
10 in the United States Armed Forces or National Guard of  
11 this or any other state and served one tour of duty and who  
12 meets the requirements of this paragraph, hear by at least  
13 3 members and, with the unanimous vote of a panel of 3  
14 members, issue a certificate of eligibility for  
15 expungement recommending that the court order the  
16 expungement of all official records of the arresting  
17 authority, the circuit court clerk, and the Department of  
18 State Police concerning the arrest and conviction for the  
19 Class 3 or 4 felony. A person may not apply to the Board  
20 for a certificate of eligibility for expungement:

21 (A) if convicted of:

22 (i) a sex offense described in Article 11 or  
23 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of  
24 the Criminal Code of 1961 or Criminal Code of  
25 2012;

26 (ii) an offense under the Criminal Code of

1 1961 or Criminal Code of 2012 involving a firearm;

2 or

3 (iii) a crime of violence as defined in  
4 Section 2 of the Crime Victims Compensation Act;

5 or

6 (B) if the person has not served in the United  
7 States Armed Forces or National Guard of this or any  
8 other state or has not received an honorable discharge  
9 from the United States Armed Forces or National Guard  
10 of this or any other state or who at the time of the  
11 filing of the petition is serving in the United States  
12 Armed Forces or National Guard of this or any other  
13 state and has not completed one tour of duty.

14 If a person has applied to the Board for a certificate  
15 of eligibility for expungement and the Board denies the  
16 certificate, the person must wait at least 4 years before  
17 filing again or filing for a pardon with authorization for  
18 expungement from the Governor unless the Governor or  
19 Chairman of the Prisoner Review Board grants a waiver.

20 (a-5) The Prisoner Review Board, with the cooperation of  
21 and in coordination with the Department of Corrections and the  
22 Department of Central Management Services, shall implement a  
23 pilot project in 3 correctional institutions providing for the  
24 conduct of hearings under paragraphs (1) and (4) of subsection  
25 (a) of this Section through interactive video conferences. The  
26 project shall be implemented within 6 months after January 1,

1 1997 (the effective date of Public Act 89-490) ~~this amendatory~~  
2 ~~Act of 1996~~. Within 6 months after the implementation of the  
3 pilot project, the Prisoner Review Board, with the cooperation  
4 of and in coordination with the Department of Corrections and  
5 the Department of Central Management Services, shall report to  
6 the Governor and the General Assembly regarding the use,  
7 costs, effectiveness, and future viability of interactive  
8 video conferences for Prisoner Review Board hearings.

9 (b) Upon recommendation of the Department the Board may  
10 restore sentence credit previously revoked.

11 (c) The Board shall cooperate with the Department in  
12 promoting an effective system of parole and mandatory  
13 supervised release.

14 (d) The Board shall promulgate rules for the conduct of  
15 its work, and the Chairman shall file a copy of such rules and  
16 any amendments thereto with the Director and with the  
17 Secretary of State.

18 (e) The Board shall keep records of all of its official  
19 actions and shall make them accessible in accordance with law  
20 and the rules of the Board.

21 (f) The Board or one who has allegedly violated the  
22 conditions of his or her parole, aftercare release, or  
23 mandatory supervised release may require by subpoena the  
24 attendance and testimony of witnesses and the production of  
25 documentary evidence relating to any matter under  
26 investigation or hearing. The Chairman of the Board may sign

1 subpoenas which shall be served by any agent or public  
2 official authorized by the Chairman of the Board, or by any  
3 person lawfully authorized to serve a subpoena under the laws  
4 of the State of Illinois. The attendance of witnesses, and the  
5 production of documentary evidence, may be required from any  
6 place in the State to a hearing location in the State before  
7 the Chairman of the Board or his or her designated agent or  
8 agents or any duly constituted Committee or Subcommittee of  
9 the Board. Witnesses so summoned shall be paid the same fees  
10 and mileage that are paid witnesses in the circuit courts of  
11 the State, and witnesses whose depositions are taken and the  
12 persons taking those depositions are each entitled to the same  
13 fees as are paid for like services in actions in the circuit  
14 courts of the State. Fees and mileage shall be vouchered for  
15 payment when the witness is discharged from further  
16 attendance.

17 In case of disobedience to a subpoena, the Board may  
18 petition any circuit court of the State for an order requiring  
19 the attendance and testimony of witnesses or the production of  
20 documentary evidence or both. A copy of such petition shall be  
21 served by personal service or by registered or certified mail  
22 upon the person who has failed to obey the subpoena, and such  
23 person shall be advised in writing that a hearing upon the  
24 petition will be requested in a court room to be designated in  
25 such notice before the judge hearing motions or extraordinary  
26 remedies at a specified time, on a specified date, not less

1 than 10 nor more than 15 days after the deposit of the copy of  
2 the written notice and petition in the U.S. mail ~~mails~~  
3 addressed to the person at his or her last known address or  
4 after the personal service of the copy of the notice and  
5 petition upon such person. The court upon the filing of such a  
6 petition, may order the person refusing to obey the subpoena  
7 to appear at an investigation or hearing, or to there produce  
8 documentary evidence, if so ordered, or to give evidence  
9 relative to the subject matter of that investigation or  
10 hearing. Any failure to obey such order of the circuit court  
11 may be punished by that court as a contempt of court.

12 Each member of the Board and any hearing officer  
13 designated by the Board shall have the power to administer  
14 oaths and to take the testimony of persons under oath.

15 (g) Except under subsection (a) of this Section, a  
16 majority of the members then appointed to the Prisoner Review  
17 Board shall constitute a quorum for the transaction of all  
18 business of the Board.

19 (h) The Prisoner Review Board shall annually transmit to  
20 the Director a detailed report of its work for the preceding  
21 calendar year. The annual report shall also be transmitted to  
22 the Governor for submission to the Legislature.

23 (Source: P.A. 100-1182, eff. 6-1-19; 101-288, eff. 1-1-20;  
24 revised 8-19-20.)

1           Sec. 3-3-4. Preparation for parole hearing.

2           (a) The Prisoner Review Board shall consider the parole of  
3 each eligible person committed to the Department of  
4 Corrections at least 30 days prior to the date he or she shall  
5 first become eligible for parole.

6           (b) A person eligible for parole shall, no less than 15  
7 days in advance of his or her parole interview, prepare a  
8 parole plan in accordance with the rules of the Prisoner  
9 Review Board. The person shall be assisted in preparing his or  
10 her parole plan by personnel of the Department of Corrections,  
11 and may, for this purpose, be released on furlough under  
12 Article 11. The Department shall also provide assistance in  
13 obtaining information and records helpful to the individual  
14 for his or her parole hearing. If the person eligible for  
15 parole has a petition or any written submissions prepared on  
16 his or her behalf by an attorney or other representative, the  
17 attorney or representative for the person eligible for parole  
18 must serve by certified mail the State's Attorney of the  
19 county where he or she was prosecuted with the petition or any  
20 written submissions 15 days after his or her parole interview.  
21 Within the same time period, the ~~The~~ State's Attorney shall  
22 provide the attorney for the person eligible for parole with a  
23 copy of his or her letter in opposition to parole via certified  
24 mail. Each party may respond to the other's submission within  
25 5 business days of the en banc hearing.

26           (c) Any member of the Board shall have access at all

1 reasonable times to any committed person and to his or her  
2 master record file within the Department, and the Department  
3 shall furnish such a report to the Board concerning the  
4 conduct and character of any such person prior to his or her  
5 parole interview.

6 (d) In making its determination of parole, the Board shall  
7 consider:

8 (1) (blank);

9 (2) the report under Section 3-8-2 or 3-10-2;

10 (3) a report by the Department and any report by the  
11 chief administrative officer of the institution or  
12 facility;

13 (4) a parole progress report;

14 (5) a medical and psychological report, if requested  
15 by the Board;

16 (6) material in writing, or on film, video tape or  
17 other electronic means in the form of a recording  
18 submitted by the person whose parole is being considered;

19 (7) material in writing, or on film, video tape or  
20 other electronic means in the form of a recording or  
21 testimony submitted by the State's Attorney and the victim  
22 or a concerned citizen pursuant to the Rights of Crime  
23 Victims and Witnesses Act; and

24 (8) the person's eligibility for commitment under the  
25 Sexually Violent Persons Commitment Act.

26 (e) The prosecuting State's Attorney's office shall

1 receive from the Board reasonable written notice not less than  
2 30 days prior to the parole interview and may submit relevant  
3 information by oral argument or testimony of victims and  
4 concerned citizens, or both, in writing, or on film, video  
5 tape or other electronic means or in the form of a recording to  
6 the Board for its consideration. Upon written request of the  
7 State's Attorney's office, the Prisoner Review Board shall  
8 hear protests to parole, except in counties of 1,500,000 or  
9 more inhabitants where there shall be standing objections to  
10 all such petitions. If a State's Attorney who represents a  
11 county of less than 1,500,000 inhabitants requests a protest  
12 hearing, the inmate's counsel or other representative shall  
13 also receive notice of such request. This hearing shall take  
14 place the month following the inmate's parole interview. If  
15 the inmate's parole interview is rescheduled then the Prisoner  
16 Review Board shall promptly notify the State's Attorney of the  
17 new date. The person eligible for parole shall be heard at the  
18 next scheduled en banc hearing date. If the case is to be  
19 continued, the State's Attorney's office and the attorney or  
20 representative for the person eligible for parole will be  
21 notified of any continuance within 5 business days. The  
22 State's Attorney may waive the written notice.

23 (f) The victim of the violent crime for which the prisoner  
24 has been sentenced shall receive notice of a parole hearing as  
25 provided in paragraph (4) of subsection (d) of Section 4.5 of  
26 the Rights of Crime Victims and Witnesses Act.



1           (g) Any recording considered under the provisions of  
2 subsection (d) (6), (d) (7) or (e) of this Section shall be in  
3 the form designated by the Board. Such recording shall be both  
4 visual and aural. Every voice on the recording and person  
5 present shall be identified and the recording shall contain  
6 either a visual or aural statement of the person submitting  
7 such recording, the date of the recording and the name of the  
8 person whose parole eligibility is being considered. Such  
9 recordings shall be retained by the Board and shall be deemed  
10 to be submitted at any subsequent parole hearing if the victim  
11 or State's Attorney submits in writing a declaration clearly  
12 identifying such recording as representing the present  
13 position of the victim or State's Attorney regarding the  
14 issues to be considered at the parole hearing.

15           (h) The Board shall not release any material to the  
16 inmate, the inmate's attorney, any third party, or any other  
17 person containing any information from a victim who has  
18 written objections, testified at any hearing, or submitted  
19 audio or visual objections to the inmate's parole, unless  
20 provided with a waiver from that victim. Victim statements  
21 provided to the Board shall be confidential and privileged,  
22 including any statements received prior to the effective date  
23 of this amendatory Act of the 101st General Assembly, except  
24 if the statement was an oral statement made by the victim at a  
25 hearing open to the public. The Board shall not release the  
26 names or addresses of any person on its victim registry to any

1 other person except the victim, a law enforcement agency, or  
2 other victim notification system.

3 (Source: P.A. 101-288, eff. 1-1-20.)

4 (730 ILCS 5/3-3-5) (from Ch. 38, par. 1003-3-5)

5 Sec. 3-3-5. Hearing and determination.

6 (a) The Prisoner Review Board shall meet as often as need  
7 requires to consider the cases of persons eligible for parole.  
8 Except as otherwise provided in paragraph (2) of subsection  
9 (a) of Section 3-3-2 of this Act, the Prisoner Review Board may  
10 meet and order its actions in panels of 3 or more members. The  
11 action of a majority of the panel shall be the action of the  
12 Board.

13 (b) If the person under consideration for parole is in the  
14 custody of the Department, at least one member of the Board  
15 shall interview him or her, and a report of that interview  
16 shall be available for the Board's consideration. However, in  
17 the discretion of the Board, the interview need not be  
18 conducted if a psychiatric examination determines that the  
19 person could not meaningfully contribute to the Board's  
20 consideration. The Board may in its discretion parole a person  
21 who is then outside the jurisdiction on his or her record  
22 without an interview. The Board need not hold a hearing or  
23 interview a person who is paroled under paragraphs (d) or (e)  
24 of this Section or released on Mandatory release under Section  
25 3-3-10.

1 (c) The Board shall not parole a person eligible for  
2 parole if it determines that:

3 (1) there is a substantial risk that he or she will not  
4 conform to reasonable conditions of parole or aftercare  
5 release; or

6 (2) his or her release at that time would deprecate  
7 the seriousness of his or her offense or promote  
8 disrespect for the law; or

9 (3) his or her release would have a substantially  
10 adverse effect on institutional discipline.

11 (d) (Blank).

12 (e) A person who has served the maximum term of  
13 imprisonment imposed at the time of sentencing less time  
14 credit for good behavior shall be released on parole to serve a  
15 period of parole under Section 5-8-1.

16 (f) The Board shall render its decision within a  
17 reasonable time after hearing and shall state the basis  
18 therefor both in the records of the Board and in written notice  
19 to the person on whose application it has acted. In its  
20 decision, the Board shall set the person's time for parole, or  
21 if it denies parole it shall provide for a rehearing not less  
22 frequently than once every year, except that the Board may,  
23 after denying parole, schedule a rehearing no later than 2 ~~5~~  
24 years from the date of the parole denial, if the Board finds  
25 that it is not reasonable to expect that parole would be  
26 granted at a hearing prior to the scheduled rehearing date. If

1 the Board shall parole a person, and, if he or she is not  
2 released within 90 days from the effective date of the order  
3 granting parole, the matter shall be returned to the Board for  
4 review.

5 (f-1) If the Board paroles a person who is eligible for  
6 commitment as a sexually violent person, the effective date of  
7 the Board's order shall be stayed for 90 days for the purpose  
8 of evaluation and proceedings under the Sexually Violent  
9 Persons Commitment Act.

10 (g) The Board shall maintain a registry of decisions in  
11 which parole has been granted, which shall include the name  
12 and case number of the prisoner, the highest charge for which  
13 the prisoner was sentenced, the length of sentence imposed,  
14 the date of the sentence, the date of the parole, and the basis  
15 for the decision of the Board to grant parole and the vote of  
16 the Board on any such decisions. The registry shall be made  
17 available for public inspection and copying during business  
18 hours and shall be a public record pursuant to the provisions  
19 of the Freedom of Information Act.

20 (h) The Board shall promulgate rules regarding the  
21 exercise of its discretion under this Section.

22 (Source: P.A. 98-558, eff. 1-1-14; 99-268, eff. 1-1-16;  
23 99-628, eff. 1-1-17.)