



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4107

Introduced 9/3/2021, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-8-4	from Ch. 38, par. 1003-8-4
730 ILCS 5/3-10-4	from Ch. 38, par. 1003-10-4

Amends the Unified Code of Corrections. In provisions concerning intradivisional transfers, provides that persons committed to Department of Corrections facilities or Department of Juvenile Justice facilities may make a request to be transferred to another facility at every 6 months.

LRB102 18944 KMF 27672 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 3-8-4 and 3-10-4 as follows:

6 (730 ILCS 5/3-8-4) (from Ch. 38, par. 1003-8-4)

7 Sec. 3-8-4. Intradivisional Transfers.

8 (a) After the initial assignments under Sections 3-8-2 and
9 3-8-3, all transfers of committed persons to another
10 institution or facility shall be reviewed and approved by a
11 person or persons designated by the Director. A record of each
12 transfer and the reasons therefor shall be included in the
13 person's master record file.

14 (b) Transfers to facilities for psychiatric treatment and
15 care within the Department shall be made only after prior
16 psychiatric examination and certification to the Director that
17 such transfer is required. Persons in facilities for
18 psychiatric treatment and care within the Department shall be
19 reexamined at least every 6 months. Persons found to no longer
20 require psychiatric treatment and care shall be transferred to
21 other facilities of the Department.

22 (c) A committed person may make a request to be
23 transferred to another institution or facility every 6 months.

1 (Source: P.A. 77-2097.)

2 (730 ILCS 5/3-10-4) (from Ch. 38, par. 1003-10-4)

3 Sec. 3-10-4. Intradivisional Transfers.

4 (a) The transfer of committed persons between institutions
5 or facilities of the Department of Juvenile Justice shall be
6 under this Section, except that emergency transfers shall be
7 under Section 3-6-2.

8 (b) The chief administrative officer of an institution or
9 facility desiring to transfer a committed person to another
10 institution or facility shall notify the Director of Juvenile
11 Justice or his delegate of the basis for the transfer. The
12 Director or his delegate shall approve or deny such request.

13 (c) If a transfer request is made by a committed person or
14 his parent, guardian or nearest relative, the chief
15 administrative officer of the institution or facility from
16 which the transfer is requested shall notify the Director of
17 Juvenile Justice or his delegate of the request, the reasons
18 therefor and his recommendation. The Director of Juvenile
19 Justice or his delegate shall either grant the request or if he
20 denies the request he shall advise the person or his parent,
21 guardian or nearest relative of the basis for the denial.

22 (d) A committed person may make a request to be
23 transferred to another institution or facility of the
24 Department of Juvenile Justice every 6 months.

25 (Source: P.A. 94-696, eff. 6-1-06.)