

SB3615



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3615

Introduced 2/9/2024, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-4-3

from Ch. 38, par. 1003-4-3

Amends the Unified Code of Corrections. Provides that interest or other income which may be earned from moneys deposited with the Department of Juvenile Justice by a resident of the Department of Juvenile Justice shall accrue to the Residents' Benefit Fund (rather than providing that interest or other income from moneys deposited with the Department of Juvenile Justice by a resident of the Department in excess of \$200 shall accrue to the individual's account, or in balances up to \$200 shall accrue to the Residents' Benefit Fund).

LRB103 37237 RLC 67357 b

A BILL FOR

1 AN ACT concerning State government.

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 Section 3-4-3 as follows:

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

7 Sec. 3-4-3. Funds and Property of Persons Committed.

8 (a) The Department of Corrections and the Department of
9 Juvenile Justice shall establish accounting records with
10 accounts for each person who has or receives money while in an
11 institution or facility of that Department and it shall allow
12 the withdrawal and disbursement of money by the person under
13 rules and regulations of that Department. Any interest or
14 other income which may be earned from moneys deposited with
15 the Department by a resident of the Department of Juvenile
16 Justice ~~in excess of \$200~~ shall accrue to ~~the individual's~~
17 ~~account, or in balances up to \$200 shall accrue to~~ the
18 Residents' Benefit Fund. For an individual in an institution
19 or facility of the Department of Corrections the interest
20 shall accrue to the Residents' Benefit Fund. The Department
21 shall disburse all moneys so held no later than the person's
22 final discharge from the Department. Moneys in the account of
23 a committed person who files a lawsuit determined frivolous

1 under Article XXII of the Code of Civil Procedure shall be
2 deducted to pay for the filing fees and cost of the suit as
3 provided in that Article. The Department shall under rules and
4 regulations record and receipt all personal property not
5 allowed to committed persons. The Department shall return such
6 property to the individual no later than the person's release
7 on parole or aftercare.

8 (b) Any money held in accounts of committed persons
9 separated from the Department by death, discharge, or
10 unauthorized absence and unclaimed for a period of 1 year
11 thereafter by the person or his legal representative shall be
12 transmitted to the State Treasurer who shall deposit it into
13 the General Revenue Fund. Articles of personal property of
14 persons so separated may be sold or used by the Department if
15 unclaimed for a period of 1 year for the same purpose.
16 Clothing, if unclaimed within 30 days, may be used or disposed
17 of as determined by the Department.

18 (c) Forty percent of the profits on sales from commissary
19 stores shall be expended by the Department for the special
20 benefit of committed persons which shall include but not be
21 limited to the advancement of inmate payrolls, for the special
22 benefit of employees, and for the advancement or reimbursement
23 of employee travel, provided that amounts expended for
24 employees shall not exceed the amount of profits derived from
25 sales made to employees by such commissaries, as determined by
26 the Department. The remainder of the profits from sales from

1 commissary stores must be used first to pay for wages and
2 benefits of employees covered under a collective bargaining
3 agreement who are employed at commissary facilities of the
4 Department and then to pay the costs of dietary staff.

5 (d) The Department shall confiscate any unauthorized
6 currency found in the possession of a committed person. The
7 Department shall transmit the confiscated currency to the
8 State Treasurer who shall deposit it into the General Revenue
9 Fund.

10 (Source: P.A. 97-1083, eff. 8-24-12; 98-558, eff. 1-1-14.)