

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. The Department of
14 Juvenile Justice shall not be required to keep such deposited
15 moneys in an interest-bearing bank account unless the annual
16 interest earned would exceed the total annual costs and fees,
17 including, but not limited to, transaction fees, associated
18 with maintaining the account. Any interest or other income
19 which may be earned from moneys deposited with the Department
20 by a resident of the Department of Juvenile Justice ~~in excess~~
21 ~~of \$200~~ shall accrue to the individual's account if the
22 monthly interest attributable to an individual's account
23 exceeds \$1. All other, ~~or in~~ balances ~~up to \$200~~ shall accrue

1 to the Residents' Benefit Fund. For an individual in an
2 institution or facility of the Department of Corrections the
3 interest shall accrue to the Residents' Benefit Fund. The
4 Department shall disburse all moneys so held no later than the
5 person's final discharge from the Department. Moneys in the
6 account of a committed person who files a lawsuit determined
7 frivolous under Article XXII of the Code of Civil Procedure
8 shall be deducted to pay for the filing fees and cost of the
9 suit as provided in that Article. The Department shall under
10 rules and regulations record and receipt all personal property
11 not allowed to committed persons. The Department shall return
12 such property to the individual no later than the person's
13 release on parole or aftercare.

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

24 (c) Forty percent of the profits on sales from commissary
25 stores shall be expended by the Department for the special
26 benefit of committed persons which shall include but not be

1 limited to the advancement of inmate payrolls, for the special
2 benefit of employees, and for the advancement or reimbursement
3 of employee travel, provided that amounts expended for
4 employees shall not exceed the amount of profits derived from
5 sales made to employees by such commissaries, as determined by
6 the Department. The remainder of the profits from sales from
7 commissary stores must be used first to pay for wages and
8 benefits of employees covered under a collective bargaining
9 agreement who are employed at commissary facilities of the
10 Department and then to pay the costs of dietary staff.

11 (d) The Department shall confiscate any unauthorized
12 currency found in the possession of a committed person. The
13 Department shall transmit the confiscated currency to the
14 State Treasurer who shall deposit it into the General Revenue
15 Fund.

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