

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 Section 3-3-7 as follows:

6 (730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

7 Sec. 3-3-7. Conditions of Parole or Mandatory Supervised  
8 Release.

9 (a) The conditions of parole or mandatory supervised  
10 release shall be such as the Prisoner Review Board deems  
11 necessary to assist the subject in leading a law-abiding life.  
12 The conditions of every parole and mandatory supervised release  
13 are that the subject:

14 (1) not violate any criminal statute of any  
15 jurisdiction during the parole or release term;

16 (2) refrain from possessing a firearm or other  
17 dangerous weapon;

18 (3) report to an agent of the Department of  
19 Corrections;

20 (4) permit the agent to visit him or her at his or her  
21 home, employment, or elsewhere to the extent necessary for  
22 the agent to discharge his or her duties;

23 (5) attend or reside in a facility established for the

1 instruction or residence of persons on parole or mandatory  
2 supervised release;

3 (6) secure permission before visiting or writing a  
4 committed person in an Illinois Department of Corrections  
5 facility;

6 (7) report all arrests to an agent of the Department of  
7 Corrections as soon as permitted by the arresting authority  
8 but in no event later than 24 hours after release from  
9 custody;

10 (7.5) if convicted of a sex offense as defined in the  
11 Sex Offender Management Board Act, the individual shall  
12 undergo and successfully complete sex offender treatment  
13 conducted in conformance with the standards developed by  
14 the Sex Offender Management Board Act by a treatment  
15 provider approved by the Board;

16 (7.6) if convicted of a sex offense as defined in the  
17 Sex Offender Management Board Act, refrain from residing at  
18 the same address or in the same condominium unit or  
19 apartment unit or in the same condominium complex or  
20 apartment complex with another person he or she knows or  
21 reasonably should know is a convicted sex offender or has  
22 been placed on supervision for a sex offense; the  
23 provisions of this paragraph do not apply to a person  
24 convicted of a sex offense who is placed in a Department of  
25 Corrections licensed transitional housing facility for sex  
26 offenders, or is in any facility operated or licensed by

1 the Department of Children and Family Services or by the  
2 Department of Human Services, or is in any licensed medical  
3 facility;

4 (7.7) if convicted for an offense that would qualify  
5 the accused as a sexual predator under the Sex Offender  
6 Registration Act on or after the effective date of this  
7 amendatory Act of the 94th General Assembly, wear an  
8 approved electronic monitoring device as defined in  
9 Section 5-8A-2 for the duration of the person's parole,  
10 mandatory supervised release term, or extended mandatory  
11 supervised release term, provided funding is appropriated  
12 by the General Assembly;

13 (8) obtain permission of an agent of the Department of  
14 Corrections before leaving the State of Illinois;

15 (9) obtain permission of an agent of the Department of  
16 Corrections before changing his or her residence or  
17 employment;

18 (10) consent to a search of his or her person,  
19 property, or residence under his or her control;

20 (11) refrain from the use or possession of narcotics or  
21 other controlled substances in any form, or both, or any  
22 paraphernalia related to those substances and submit to a  
23 urinalysis test as instructed by a parole agent of the  
24 Department of Corrections;

25 (12) not frequent places where controlled substances  
26 are illegally sold, used, distributed, or administered;

1           (13) not knowingly associate with other persons on  
2 parole or mandatory supervised release without prior  
3 written permission of his or her parole agent and not  
4 associate with persons who are members of an organized gang  
5 as that term is defined in the Illinois Streetgang  
6 Terrorism Omnibus Prevention Act;

7           (14) provide true and accurate information, as it  
8 relates to his or her adjustment in the community while on  
9 parole or mandatory supervised release or to his or her  
10 conduct while incarcerated, in response to inquiries by his  
11 or her parole agent or of the Department of Corrections;

12           (15) follow any specific instructions provided by the  
13 parole agent that are consistent with furthering  
14 conditions set and approved by the Prisoner Review Board or  
15 by law, exclusive of placement on electronic detention, to  
16 achieve the goals and objectives of his or her parole or  
17 mandatory supervised release or to protect the public.  
18 These instructions by the parole agent may be modified at  
19 any time, as the agent deems appropriate; and

20           (16) if convicted of a sex offense as defined in  
21 subsection (a-5) of Section 3-1-2 of this Code, unless the  
22 offender is a parent or guardian of the person under 18  
23 years of age present in the home and no non-familial minors  
24 are present, not participate in a holiday event involving  
25 children under 18 years of age, such as distributing candy  
26 or other items to children on Halloween, wearing a Santa

1 Claus costume on or preceding Christmas, being employed as  
2 a department store Santa Claus, or wearing an Easter Bunny  
3 costume on or preceding Easter.

4 (b) The Board may in addition to other conditions require  
5 that the subject:

6 (1) work or pursue a course of study or vocational  
7 training;

8 (2) undergo medical or psychiatric treatment, or  
9 treatment for drug addiction or alcoholism;

10 (3) attend or reside in a facility established for the  
11 instruction or residence of persons on probation or parole;

12 (4) support his dependents;

13 (5) (blank);

14 (6) (blank);

15 (7) comply with the terms and conditions of an order of  
16 protection issued pursuant to the Illinois Domestic  
17 Violence Act of 1986, enacted by the 84th General Assembly,  
18 or an order of protection issued by the court of another  
19 state, tribe, or United States territory; and

20 (8) in addition, if a minor:

21 (i) reside with his parents or in a foster home;

22 (ii) attend school;

23 (iii) attend a non-residential program for youth;

24 or

25 (iv) contribute to his own support at home or in a  
26 foster home.

1 (b-1) In addition to the conditions set forth in  
2 subsections (a) and (b), persons required to register as sex  
3 offenders pursuant to the Sex Offender Registration Act, upon  
4 release from the custody of the Illinois Department of  
5 Corrections, may be required by the Board to comply with the  
6 following specific conditions of release:

7 (1) reside only at a Department approved location;

8 (2) comply with all requirements of the Sex Offender  
9 Registration Act;

10 (3) notify third parties of the risks that may be  
11 occasioned by his or her criminal record;

12 (4) obtain the approval of an agent of the Department  
13 of Corrections prior to accepting employment or pursuing a  
14 course of study or vocational training and notify the  
15 Department prior to any change in employment, study, or  
16 training;

17 (5) not be employed or participate in any volunteer  
18 activity that involves contact with children, except under  
19 circumstances approved in advance and in writing by an  
20 agent of the Department of Corrections;

21 (6) be electronically monitored for a minimum of 12  
22 months from the date of release as determined by the Board;

23 (7) refrain from entering into a designated geographic  
24 area except upon terms approved in advance by an agent of  
25 the Department of Corrections. The terms may include  
26 consideration of the purpose of the entry, the time of day,

1 and others accompanying the person;

2 (8) refrain from having any contact, including written  
3 or oral communications, directly or indirectly, personally  
4 or by telephone, letter, or through a third party with  
5 certain specified persons including, but not limited to,  
6 the victim or the victim's family without the prior written  
7 approval of an agent of the Department of Corrections;

8 (9) refrain from all contact, directly or indirectly,  
9 personally, by telephone, letter, or through a third party,  
10 with minor children without prior identification and  
11 approval of an agent of the Department of Corrections;

12 (10) neither possess or have under his or her control  
13 any material that is sexually oriented, sexually  
14 stimulating, or that shows male or female sex organs or any  
15 pictures depicting children under 18 years of age nude or  
16 any written or audio material describing sexual  
17 intercourse or that depicts or alludes to sexual activity,  
18 including but not limited to visual, auditory, telephonic,  
19 or electronic media, or any matter obtained through access  
20 to any computer or material linked to computer access use;

21 (11) not patronize any business providing sexually  
22 stimulating or sexually oriented entertainment nor utilize  
23 "900" or adult telephone numbers;

24 (12) not reside near, visit, or be in or about parks,  
25 schools, day care centers, swimming pools, beaches,  
26 theaters, or any other places where minor children

1           congregate without advance approval of an agent of the  
2           Department of Corrections and immediately report any  
3           incidental contact with minor children to the Department;

4           (13) not possess or have under his or her control  
5           certain specified items of contraband related to the  
6           incidence of sexually offending as determined by an agent  
7           of the Department of Corrections;

8           (14) may be required to provide a written daily log of  
9           activities if directed by an agent of the Department of  
10          Corrections;

11          (15) comply with all other special conditions that the  
12          Department may impose that restrict the person from  
13          high-risk situations and limit access to potential  
14          victims.

15          (c) The conditions under which the parole or mandatory  
16          supervised release is to be served shall be communicated to the  
17          person in writing prior to his release, and he shall sign the  
18          same before release. A signed copy of these conditions,  
19          including a copy of an order of protection where one had been  
20          issued by the criminal court, shall be retained by the person  
21          and another copy forwarded to the officer in charge of his  
22          supervision.

23          (d) After a hearing under Section 3-3-9, the Prisoner  
24          Review Board may modify or enlarge the conditions of parole or  
25          mandatory supervised release.

26          (e) The Department shall inform all offenders committed to



1 the Department of the optional services available to them upon  
2 release and shall assist inmates in availing themselves of such  
3 optional services upon their release on a voluntary basis.

4 (f) When the subject is in compliance with all conditions  
5 of his or her parole or mandatory supervised release, the  
6 subject shall receive a reduction of the period of his or her  
7 parole or mandatory supervised release of 90 days upon passage  
8 of the high school level Test of General Educational  
9 Development during the period of his or her parole or mandatory  
10 supervised release. This reduction in the period of a subject's  
11 term of parole or mandatory supervised release shall be  
12 available only to subjects who have not previously earned a  
13 high school diploma or who have not previously passed the high  
14 school level Test of General Educational Development.

15 (Source: P.A. 93-616, eff. 1-1-04; 93-865, eff. 1-1-05; 94-159,  
16 eff. 7-11-05; 94-161, eff. 7-11-05; 94-988, eff. 1-1-07.)