

# HB1380



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1380

by Rep. Brandon W. Phelps

### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-7-2a

from Ch. 38, par. 1003-7-2a

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the prices of goods sold in Department of Corrections commissaries.

LRB098 09902 RLC 40060 b

A BILL FOR

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 3-7-2a as follows:

6 (730 ILCS 5/3-7-2a) (from Ch. 38, par. 1003-7-2a)

7 Sec. 3-7-2a. If a facility maintains a commissary or  
8 commissaries serving inmates, the ~~the~~ selling prices for all  
9 goods shall be sufficient to cover the costs of the goods and  
10 an additional charge of up to 35% for tobacco products and up  
11 to 25% for non-tobacco products. The amount of the additional  
12 charges for goods sold at commissaries serving inmates shall be  
13 based upon the amount necessary to pay for the wages and  
14 benefits of commissary employees who are employed in any  
15 commissary facilities of the Department. The Department shall  
16 determine the additional charges upon any changes in wages and  
17 benefits of commissary employees as negotiated in the  
18 collective bargaining agreement. If a facility maintains a  
19 commissary or commissaries serving employees, the selling  
20 price for all goods shall be sufficient to cover the costs of  
21 the goods and an additional charge of up to 10%. A compliance  
22 audit of all commissaries and the distribution of commissary  
23 funds shall be included in the regular compliance audit of the

1 Department conducted by the Auditor General in accordance with  
2 the Illinois State Auditing Act.

3 Items purchased for sale at any such commissary shall be  
4 purchased, wherever possible, at wholesale costs. If a facility  
5 maintains a commissary or commissaries as of the effective date  
6 of this amendatory Act of the 93rd General Assembly, the  
7 Department may not contract with a private contractor or vendor  
8 to operate, manage, or perform any portion of the commissary  
9 services. The Department may not enter into any such contract  
10 for commissary services at a facility that opens subsequent to  
11 the effective date of this amendatory Act of the 93rd General  
12 Assembly.

13 (Source: P.A. 93-607, eff. 1-1-04; 94-913, eff. 6-23-06.)