



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB6200

Introduced 2/11/2016, by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-4-1

from Ch. 38, par. 1003-4-1

Amends the Unified Code of Corrections. Provides that any commissions or revenues for the provision of pay telephones in institutions and facilities of the Department of Corrections and the Department of Juvenile Justice for those incarcerated are prohibited. Provides that the Department of Central Management Services shall contract with the qualified vendor who proposes the lowest per minute rate not exceeding 5 cents per minute for debit, prepaid, collect calls and who does not bill to any party any service charge or additional fee exceeding the per minute rate, including, but not limited to, any per call surcharge, account set up fee, bill statement fee, monthly account maintenance charge, or refund fee, as established by the Federal Communications Commission Order for state prisons in the Matter of Rates for Interstate Inmate Calling Services, Second Report and Order, WC Docket 12-375, FCC 15-136 (adopted Oct. 22, 2015). Provides that telephone services made available through a prepaid or collect call system shall include international calls; those calls shall be made available at reasonable rates subject to Federal Communications Commission rules and regulations, but not to exceed 25 cents per minute. Provides that the amendatory Act applies to any new or renewal contract for inmate calling services. Effective January 1, 2017.

LRB099 19719 RLC 45164 b

FISCAL NOTE ACT
MAY APPLY

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 1. Legislative findings and intent. The General
5 Assembly finds that the ability of an individual incarcerated
6 to maintain contact with the community and family is critical
7 to a successful re-entry after release from prison. In
8 addition, many incarcerated people are parents. Communication
9 has been proven essential to the healthy development of their
10 children. Many people are incarcerated far away from where
11 their family and friends reside, which in some cases may be a
12 country outside the United States. Telephone calls are
13 frequently the only method available to maintain vital contact
14 with loved ones. The purpose of this legislation is to ensure
15 that people incarcerated can maintain contact with their loved
16 ones without creating an undue burden on the person
17 incarcerated or the recipient of phone calls. The General
18 Assembly intends that when determining the best value of a
19 telephone service, the lowest possible cost to the telephone
20 user shall be emphasized.

21 Section 5. The Unified Code of Corrections is amended by
22 changing Section 3-4-1 as follows:

1 (730 ILCS 5/3-4-1) (from Ch. 38, par. 1003-4-1)

2 Sec. 3-4-1. Gifts and Grants; Special Trusts Funds;
3 Department of Corrections Reimbursement and Education Fund.

4 (a) The Department may accept, receive and use, for and in
5 behalf of the State, any moneys, goods or services given for
6 general purposes of this Code by the federal government or from
7 any other source, public or private, including collections from
8 inmates and ~~reimbursement of payments under the Workers'~~
9 ~~Compensation Act, and commissions from inmate collect call~~
10 ~~telephone systems under an agreement with the Department of~~
11 ~~Central Management Services.~~ For these purposes the Department
12 may comply with such conditions and enter into such agreements
13 upon such covenants, terms, and conditions as the Department
14 may deem necessary or desirable, if the agreement is not in
15 conflict with State law.

16 (a-5) Any commissions or revenues for the provision of pay
17 telephones in institutions and facilities of the Department of
18 Corrections and the Department of Juvenile Justice for those
19 incarcerated are prohibited. The Department of Central
20 Management Services shall contract with the qualified vendor
21 who proposes the lowest per minute rate not exceeding 5 cents
22 per minute for debit, prepaid, collect calls and who does not
23 bill to any party any service charge or additional fee
24 exceeding the per minute rate, including, but not limited to,
25 any per call surcharge, account set up fee, bill statement fee,
26 monthly account maintenance charge, or refund fee, as

1 established by the Federal Communications Commission Order for
2 state prisons in the Matter of Rates for Interstate Inmate
3 Calling Services, Second Report and Order, WC Docket 12-375,
4 FCC 15-136 (adopted Oct. 22, 2015). Telephone services made
5 available through a prepaid or collect call system shall
6 include international calls; those calls shall be made
7 available at reasonable rates subject to Federal
8 Communications Commission rules and regulations, but not to
9 exceed 25 cents per minute. This amendatory Act of the 99th
10 General Assembly applies to any new or renewal contract for
11 inmate calling services.

12 (b) On July 1, 1998, the Department of Corrections
13 Reimbursement Fund and the Department of Corrections Education
14 Fund shall be combined into a single fund to be known as the
15 Department of Corrections Reimbursement and Education Fund,
16 which is hereby created as a special fund in the State
17 Treasury. The moneys deposited into the Department of
18 Corrections Reimbursement and Education Fund shall be
19 appropriated to the Department of Corrections for the expenses
20 of the Department.

21 The following shall be deposited into the Department of
22 Corrections Reimbursement and Education Fund:

23 (i) Moneys received or recovered by the Department of
24 Corrections as reimbursement for expenses incurred for the
25 incarceration of committed persons.

26 (ii) Moneys received or recovered by the Department as

1 reimbursement of payments made under the Workers'
2 Compensation Act.

3 (iii) (Blank). ~~Moneys received by the Department as~~
4 ~~commissions from inmate collect call telephone systems.~~

5 (iv) Moneys received or recovered by the Department as
6 reimbursement for expenses incurred by the employment of
7 persons referred to the Department as participants in the
8 federal Job Training Partnership Act programs.

9 (v) Federal moneys, including reimbursement and
10 advances for services rendered or to be rendered and moneys
11 for other than educational purposes, under grant or
12 contract.

13 (vi) Moneys identified for deposit into the Fund under
14 Section 13-44.4 of the School Code.

15 (vii) Moneys in the Department of Corrections
16 Reimbursement Fund and the Department of Corrections
17 Education Fund at the close of business on June 30, 1998.

18 (Source: P.A. 90-9, eff. 7-1-97; 90-587, eff. 7-1-98.)

19 Section 99. Effective date. This Act takes effect January
20 1, 2017.