

SB2263



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2263

Introduced 1/27/2016, by Sen. Scott M. Bennett

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-1

from Ch. 38, par. 1003-14-1

Amends the Unified Code of Corrections. Provides that the identification card issued to a committed person by the Department of Corrections upon his or her release on parole, mandatory supervised release, final discharge, pardon, or who has been wrongfully imprisoned shall be valid for a period of time not to exceed 90 (rather than 30) calendar days from the date the card is issued.

LRB099 16984 SLF 41333 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 3-14-1 as follows:

6 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

7 Sec. 3-14-1. Release from the Institution.

8 (a) Upon release of a person on parole, mandatory release,
9 final discharge or pardon the Department shall return all
10 property held for him, provide him with suitable clothing and
11 procure necessary transportation for him to his designated
12 place of residence and employment. It may provide such person
13 with a grant of money for travel and expenses which may be paid
14 in installments. The amount of the money grant shall be
15 determined by the Department.

16 (a-1) The Department shall, before a wrongfully imprisoned
17 person, as defined in Section 3-1-2 of this Code, is discharged
18 from the Department, provide him or her with any documents
19 necessary after discharge, including an identification card
20 under subsection (e) of this Section.

21 (a-2) The Department of Corrections may establish and
22 maintain, in any institution it administers, revolving funds to
23 be known as "Travel and Allowances Revolving Funds". These

1 revolving funds shall be used for advancing travel and expense
2 allowances to committed, paroled, and discharged prisoners.
3 The moneys paid into such revolving funds shall be from
4 appropriations to the Department for Committed, Paroled, and
5 Discharged Prisoners.

6 (b) (Blank).

7 (c) Except as otherwise provided in this Code, the
8 Department shall establish procedures to provide written
9 notification of any release of any person who has been
10 convicted of a felony to the State's Attorney and sheriff of
11 the county from which the offender was committed, and the
12 State's Attorney and sheriff of the county into which the
13 offender is to be paroled or released. Except as otherwise
14 provided in this Code, the Department shall establish
15 procedures to provide written notification to the proper law
16 enforcement agency for any municipality of any release of any
17 person who has been convicted of a felony if the arrest of the
18 offender or the commission of the offense took place in the
19 municipality, if the offender is to be paroled or released into
20 the municipality, or if the offender resided in the
21 municipality at the time of the commission of the offense. If a
22 person convicted of a felony who is in the custody of the
23 Department of Corrections or on parole or mandatory supervised
24 release informs the Department that he or she has resided,
25 resides, or will reside at an address that is a housing
26 facility owned, managed, operated, or leased by a public

1 housing agency, the Department must send written notification
2 of that information to the public housing agency that owns,
3 manages, operates, or leases the housing facility. The written
4 notification shall, when possible, be given at least 14 days
5 before release of the person from custody, or as soon
6 thereafter as possible. The written notification shall be
7 provided electronically if the State's Attorney, sheriff,
8 proper law enforcement agency, or public housing agency has
9 provided the Department with an accurate and up to date email
10 address.

11 (c-1) (Blank).

12 (c-2) The Department shall establish procedures to provide
13 notice to the Department of State Police of the release or
14 discharge of persons convicted of violations of the
15 Methamphetamine Control and Community Protection Act or a
16 violation of the Methamphetamine Precursor Control Act. The
17 Department of State Police shall make this information
18 available to local, State, or federal law enforcement agencies
19 upon request.

20 (c-5) If a person on parole or mandatory supervised release
21 becomes a resident of a facility licensed or regulated by the
22 Department of Public Health, the Illinois Department of Public
23 Aid, or the Illinois Department of Human Services, the
24 Department of Corrections shall provide copies of the following
25 information to the appropriate licensing or regulating
26 Department and the licensed or regulated facility where the

1 person becomes a resident:

2 (1) The mittimus and any pre-sentence investigation
3 reports.

4 (2) The social evaluation prepared pursuant to Section
5 3-8-2.

6 (3) Any pre-release evaluation conducted pursuant to
7 subsection (j) of Section 3-6-2.

8 (4) Reports of disciplinary infractions and
9 dispositions.

10 (5) Any parole plan, including orders issued by the
11 Prisoner Review Board, and any violation reports and
12 dispositions.

13 (6) The name and contact information for the assigned
14 parole agent and parole supervisor.

15 This information shall be provided within 3 days of the
16 person becoming a resident of the facility.

17 (c-10) If a person on parole or mandatory supervised
18 release becomes a resident of a facility licensed or regulated
19 by the Department of Public Health, the Illinois Department of
20 Public Aid, or the Illinois Department of Human Services, the
21 Department of Corrections shall provide written notification
22 of such residence to the following:

23 (1) The Prisoner Review Board.

24 (2) The chief of police and sheriff in the municipality
25 and county in which the licensed facility is located.

26 The notification shall be provided within 3 days of the

1 person becoming a resident of the facility.

2 (d) Upon the release of a committed person on parole,
3 mandatory supervised release, final discharge or pardon, the
4 Department shall provide such person with information
5 concerning programs and services of the Illinois Department of
6 Public Health to ascertain whether such person has been exposed
7 to the human immunodeficiency virus (HIV) or any identified
8 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

9 (e) Upon the release of a committed person on parole,
10 mandatory supervised release, final discharge, pardon, or who
11 has been wrongfully imprisoned, the Department shall provide
12 the person who has met the criteria established by the
13 Department with an identification card identifying the person
14 as being on parole, mandatory supervised release, final
15 discharge, pardon, or wrongfully imprisoned, as the case may
16 be. The Department, in consultation with the Office of the
17 Secretary of State, shall prescribe the form of the
18 identification card, which may be similar to the form of the
19 standard Illinois Identification Card. The Department shall
20 inform the committed person that he or she may present the
21 identification card to the Office of the Secretary of State
22 upon application for a standard Illinois Identification Card in
23 accordance with the Illinois Identification Card Act. The
24 Department shall require the committed person to pay a \$1 fee
25 for the identification card.

26 For purposes of a committed person receiving an

1 identification card issued by the Department under this
2 subsection, the Department shall establish criteria that the
3 committed person must meet before the card is issued. It is the
4 sole responsibility of the committed person requesting the
5 identification card issued by the Department to meet the
6 established criteria. The person's failure to meet the criteria
7 is sufficient reason to deny the committed person the
8 identification card. An identification card issued by the
9 Department under this subsection shall be valid for a period of
10 time not to exceed 90 ~~30~~ calendar days from the date the card
11 is issued. The Department shall not be held civilly or
12 criminally liable to anyone because of any act of any person
13 utilizing a card issued by the Department under this
14 subsection.

15 The Department shall adopt rules governing the issuance of
16 identification cards to committed persons being released on
17 parole, mandatory supervised release, final discharge, or
18 pardon.

19 (f) Forty-five days prior to the scheduled discharge of a
20 person committed to the custody of the Department of
21 Corrections, the Department shall give the person who is
22 otherwise uninsured an opportunity to apply for health care
23 coverage including medical assistance under Article V of the
24 Illinois Public Aid Code in accordance with subsection (b) of
25 Section 1-8.5 of the Illinois Public Aid Code, and the
26 Department of Corrections shall provide assistance with

1 completion of the application for health care coverage
2 including medical assistance. The Department may adopt rules to
3 implement this Section.

4 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15.)