

AN ACT concerning criminal law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

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

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

Sec. 3-5-1. Master Record File.

(a) The Department of Corrections and the Department of Juvenile Justice shall maintain a master record file on each person committed to it, which shall contain the following information:

(1) all information from the committing court;

(1.5) ethnic and racial background data collected in accordance with Section 4.5 of the Criminal Identification Act;

(2) reception summary;

(3) evaluation and assignment reports and recommendations;

(4) reports as to program assignment and progress;

(5) reports of disciplinary infractions and disposition, including tickets and Administrative Review Board action;

(6) any parole or aftercare release plan;

- (7) any parole or aftercare release reports;
- (8) the date and circumstances of final discharge;
- (9) criminal history;
- (10) current and past gang affiliations and ranks;
- (11) information regarding associations and family relationships;
- (12) any grievances filed and responses to those grievances; ~~and~~
- (13) other information that the respective Department determines is relevant to the secure confinement and rehabilitation of the committed person; ~~-~~
- (14) the last known address provided by the person committed; and
- (15) all medical and dental records.

(b) All files shall be confidential and access shall be limited to authorized personnel of the respective Department or by disclosure in accordance with a court order or subpoena. Personnel of other correctional, welfare or law enforcement agencies may have access to files under rules and regulations of the respective Department. The respective Department shall keep a record of all outside personnel who have access to files, the files reviewed, any file material copied, and the purpose of access. If the respective Department or the Prisoner Review Board makes a determination under this Code which affects the length of the period of confinement or commitment, the committed person and his counsel shall be

advised of factual information relied upon by the respective Department or Board to make the determination, provided that the Department or Board shall not be required to advise a person committed to the Department of Juvenile Justice any such information which in the opinion of the Department of Juvenile Justice or Board would be detrimental to his treatment or rehabilitation.

(c) The master file shall be maintained at a place convenient to its use by personnel of the respective Department in charge of the person. When custody of a person is transferred from the Department to another department or agency, a summary of the file shall be forwarded to the receiving agency with such other information required by law or requested by the agency under rules and regulations of the respective Department.

(d) The master file of a person no longer in the custody of the respective Department shall be placed on inactive status and its use shall be restricted subject to rules and regulations of the Department.

(e) All public agencies may make available to the respective Department on request any factual data not otherwise privileged as a matter of law in their possession in respect to individuals committed to the respective Department.

(f) A committed person may request a summary of the committed person's master record file once per year and the committed person's attorney may request one summary of the

committed person's master record file once per year. The Department shall create a form for requesting this summary, and shall make that form available to committed persons and to the public on its website. Upon receipt of the request form, the Department shall provide the summary within 15 days. The summary must contain, unless otherwise prohibited by law:

(1) the person's name, ethnic, racial, and other identifying information;

(2) all digitally available information from the committing court;

(3) all information in the Offender 360 system on the person's criminal history;

(4) the person's complete assignment history in the Department of Corrections;

(5) the person's disciplinary card;

(6) additional records about up to 3 specific disciplinary incidents as identified by the requester;

(7) any available records about up to 5 specific grievances filed by the person, as identified by the requester; and

(8) the records of all grievances filed on or after January 1, 2023.

Notwithstanding any provision of this subsection (f) to the contrary, a committed person's master record file is not subject to disclosure and copying under the Freedom of Information Act.

(g) Subject to appropriation, on or before July 1, 2025, the Department of Corrections shall digitalize all newly committed persons' master record files who become incarcerated and all other new information that the Department maintains concerning its correctional institutions, facilities, and individuals incarcerated.

(h) Subject to appropriation, on or before July 1, 2027, the Department of Corrections shall digitalize all medical and dental records in the master record files and all other information that the Department maintains concerning its correctional institutions and facilities in relation to medical records, dental records, and medical and dental needs of committed persons.

(i) Subject to appropriation, on or before July 1, 2029, the Department of Corrections shall digitalize all information in the master record files and all other information that the Department maintains concerning its correctional institutions and facilities.

(j) The Department of Corrections shall adopt rules to implement subsections (g), (h), and (i) if appropriations are available to implement these provisions.

(k) Subject to appropriation, the Department of Corrections, in consultation with the Department of Innovation and Technology, shall conduct a study on the best way to digitize all Department of Corrections records and the impact of that digitizing on State agencies, including the impact on

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the Department of Innovation and Technology. The study shall be completed on or before January 1, 2024.

(Source: P.A. 102-776, eff. 1-1-23; 102-784, eff. 5-13-22; revised 12-14-22.)

Section 99. Effective date. This Act takes effect upon becoming law.