

# HB5996



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5996

by Rep. Justin Slaughter

### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-4-1

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

Amends the Unified Code of Corrections. Provides that each Department of Corrections facility shall have at least one telephone for every 10 inmates in the facility.

LRB100 23991 SLF 43081 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 5. The Unified Code of Corrections is amended by  
5 changing Section 3-4-1 as follows:

6 (730 ILCS 5/3-4-1) (from Ch. 38, par. 1003-4-1)

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

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

21 (a-5) Beginning January 1, 2018, the Department of Central  
22 Management Services shall contract with the qualified vendor  
23 who proposes the lowest per minute rate not exceeding 7 cents

1 per minute for debit, prepaid, collect calls and who does not  
2 bill to any party any tax, service charge, or additional fee  
3 exceeding the per minute rate, including, but not limited to,  
4 any per call surcharge, account set up fee, bill statement fee,  
5 monthly account maintenance charge, or refund fee as  
6 established by the Federal Communications Commission Order for  
7 state prisons in the Matter of Rates for Interstate Inmate  
8 Calling Services, Second Report and Order, WC Docket 12-375,  
9 FCC 15-136 (adopted Oct. 22, 2015). Telephone services made  
10 available through a prepaid or collect call system shall  
11 include international calls; those calls shall be made  
12 available at reasonable rates subject to Federal  
13 Communications Commission rules and regulations, but not to  
14 exceed 23 cents per minute. This amendatory Act of the 99th  
15 General Assembly applies to any new or renewal contract for  
16 inmate calling services.

17 (a-10) Each Department facility shall have at least one  
18 telephone for every 10 inmates in the facility.

19 (b) On July 1, 1998, the Department of Corrections  
20 Reimbursement Fund and the Department of Corrections Education  
21 Fund shall be combined into a single fund to be known as the  
22 Department of Corrections Reimbursement and Education Fund,  
23 which is hereby created as a special fund in the State  
24 Treasury. The moneys deposited into the Department of  
25 Corrections Reimbursement and Education Fund shall be  
26 appropriated to the Department of Corrections for the expenses

1 of the Department.

2 The following shall be deposited into the Department of  
3 Corrections Reimbursement and Education Fund:

4 (i) Moneys received or recovered by the Department of  
5 Corrections as reimbursement for expenses incurred for the  
6 incarceration of committed persons.

7 (ii) Moneys received or recovered by the Department as  
8 reimbursement of payments made under the Workers'  
9 Compensation Act.

10 (iii) Moneys received by the Department as commissions  
11 from inmate collect call telephone systems.

12 (iv) Moneys received or recovered by the Department as  
13 reimbursement for expenses incurred by the employment of  
14 persons referred to the Department as participants in the  
15 federal Job Training Partnership Act programs.

16 (v) Federal moneys, including reimbursement and  
17 advances for services rendered or to be rendered and moneys  
18 for other than educational purposes, under grant or  
19 contract.

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

22 (vii) Moneys in the Department of Corrections  
23 Reimbursement Fund and the Department of Corrections  
24 Education Fund at the close of business on June 30, 1998.

25 (Source: P.A. 99-878, eff. 1-1-17.)