



Rep. Marcus C. Evans, Jr.

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LRB100 03295 RLC 39377 a

1 AMENDMENT TO HOUSE BILL 1471

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1471, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Unified Code of Corrections is amended by  
6 changing Section 3-3-7 as follows:

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

8 Sec. 3-3-7. Conditions of parole or mandatory supervised  
9 release.

10 (a) The conditions of parole or mandatory supervised  
11 release shall be such as the Prisoner Review Board deems  
12 necessary to assist the subject in leading a law-abiding life.  
13 The conditions of every parole and mandatory supervised release  
14 are that the subject:

15 (1) not violate any criminal statute of any  
16 jurisdiction during the parole or release term;

1           (2) refrain from possessing a firearm or other  
2 dangerous weapon;

3           (3) report to an agent of the Department of  
4 Corrections;

5           (4) permit the agent to visit him or her at his or her  
6 home, employment, or elsewhere to the extent necessary for  
7 the agent to discharge his or her duties;

8           (5) attend or reside in a facility established for the  
9 instruction or residence of persons on parole or mandatory  
10 supervised release;

11           (6) secure permission before visiting or writing a  
12 committed person in an Illinois Department of Corrections  
13 facility;

14           (7) report all arrests to an agent of the Department of  
15 Corrections as soon as permitted by the arresting authority  
16 but in no event later than 24 hours after release from  
17 custody and immediately report service or notification of  
18 an order of protection, a civil no contact order, or a  
19 stalking no contact order to an agent of the Department of  
20 Corrections;

21           (7.5) if convicted of a sex offense as defined in the  
22 Sex Offender Management Board Act, the individual shall  
23 undergo and successfully complete sex offender treatment  
24 conducted in conformance with the standards developed by  
25 the Sex Offender Management Board Act by a treatment  
26 provider approved by the Board;

1           (7.6) if convicted of a sex offense as defined in the  
2 Sex Offender Management Board Act, refrain from residing at  
3 the same address or in the same condominium unit or  
4 apartment unit or in the same condominium complex or  
5 apartment complex with another person he or she knows or  
6 reasonably should know is a convicted sex offender or has  
7 been placed on supervision for a sex offense; the  
8 provisions of this paragraph do not apply to a person  
9 convicted of a sex offense who is placed in a Department of  
10 Corrections licensed transitional housing facility for sex  
11 offenders, or is in any facility operated or licensed by  
12 the Department of Children and Family Services or by the  
13 Department of Human Services, or is in any licensed medical  
14 facility;

15           (7.7) if convicted for an offense that would qualify  
16 the accused as a sexual predator under the Sex Offender  
17 Registration Act on or after January 1, 2007 (the effective  
18 date of Public Act 94-988), wear an approved electronic  
19 monitoring device as defined in Section 5-8A-2 for the  
20 duration of the person's parole, mandatory supervised  
21 release term, or extended mandatory supervised release  
22 term and if convicted for an offense of criminal sexual  
23 assault, aggravated criminal sexual assault, predatory  
24 criminal sexual assault of a child, criminal sexual abuse,  
25 aggravated criminal sexual abuse, or ritualized abuse of a  
26 child committed on or after August 11, 2009 (the effective

1 date of Public Act 96-236) when the victim was under 18  
2 years of age at the time of the commission of the offense  
3 and the defendant used force or the threat of force in the  
4 commission of the offense wear an approved electronic  
5 monitoring device as defined in Section 5-8A-2 that has  
6 Global Positioning System (GPS) capability for the  
7 duration of the person's parole, mandatory supervised  
8 release term, or extended mandatory supervised release  
9 term;

10 (7.8) if convicted for an offense committed on or after  
11 June 1, 2008 (the effective date of Public Act 95-464) that  
12 would qualify the accused as a child sex offender as  
13 defined in Section 11-9.3 or 11-9.4 of the Criminal Code of  
14 1961 or the Criminal Code of 2012, refrain from  
15 communicating with or contacting, by means of the Internet,  
16 a person who is not related to the accused and whom the  
17 accused reasonably believes to be under 18 years of age;  
18 for purposes of this paragraph (7.8), "Internet" has the  
19 meaning ascribed to it in Section 16-0.1 of the Criminal  
20 Code of 2012; and a person is not related to the accused if  
21 the person is not: (i) the spouse, brother, or sister of  
22 the accused; (ii) a descendant of the accused; (iii) a  
23 first or second cousin of the accused; or (iv) a step-child  
24 or adopted child of the accused;

25 (7.9) if convicted under Section 11-6, 11-20.1,  
26 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or

1 the Criminal Code of 2012, consent to search of computers,  
2 PDAs, cellular phones, and other devices under his or her  
3 control that are capable of accessing the Internet or  
4 storing electronic files, in order to confirm Internet  
5 protocol addresses reported in accordance with the Sex  
6 Offender Registration Act and compliance with conditions  
7 in this Act;

8 (7.10) if convicted for an offense that would qualify  
9 the accused as a sex offender or sexual predator under the  
10 Sex Offender Registration Act on or after June 1, 2008 (the  
11 effective date of Public Act 95-640), not possess  
12 prescription drugs for erectile dysfunction;

13 (7.11) if convicted for an offense under Section 11-6,  
14 11-9.1, 11-14.4 that involves soliciting for a juvenile  
15 prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21  
16 of the Criminal Code of 1961 or the Criminal Code of 2012,  
17 or any attempt to commit any of these offenses, committed  
18 on or after June 1, 2009 (the effective date of Public Act  
19 95-983):

20 (i) not access or use a computer or any other  
21 device with Internet capability without the prior  
22 written approval of the Department;

23 (ii) submit to periodic unannounced examinations  
24 of the offender's computer or any other device with  
25 Internet capability by the offender's supervising  
26 agent, a law enforcement officer, or assigned computer

1 or information technology specialist, including the  
2 retrieval and copying of all data from the computer or  
3 device and any internal or external peripherals and  
4 removal of such information, equipment, or device to  
5 conduct a more thorough inspection;

6 (iii) submit to the installation on the offender's  
7 computer or device with Internet capability, at the  
8 offender's expense, of one or more hardware or software  
9 systems to monitor the Internet use; and

10 (iv) submit to any other appropriate restrictions  
11 concerning the offender's use of or access to a  
12 computer or any other device with Internet capability  
13 imposed by the Board, the Department or the offender's  
14 supervising agent;

15 (7.12) if convicted of a sex offense as defined in the  
16 Sex Offender Registration Act committed on or after January  
17 1, 2010 (the effective date of Public Act 96-262), refrain  
18 from accessing or using a social networking website as  
19 defined in Section 17-0.5 of the Criminal Code of 2012;

20 (7.13) if convicted of a sex offense as defined in  
21 Section 2 of the Sex Offender Registration Act committed on  
22 or after January 1, 2010 (the effective date of Public Act  
23 96-362) that requires the person to register as a sex  
24 offender under that Act, may not knowingly use any computer  
25 scrub software on any computer that the sex offender uses;

26 (8) obtain permission of an agent of the Department of

1 Corrections before leaving the State of Illinois;

2 (9) obtain permission of an agent of the Department of  
3 Corrections before changing his or her residence or  
4 employment;

5 (10) consent to a search of his or her person,  
6 property, or residence under his or her control;

7 (11) refrain from the use or possession of narcotics or  
8 other controlled substances in any form, or both, or any  
9 paraphernalia related to those substances and submit to a  
10 urinalysis test as instructed by a parole agent of the  
11 Department of Corrections;

12 (12) not knowingly frequent places where controlled  
13 substances are illegally sold, used, distributed, or  
14 administered;

15 (13) not knowingly associate with other persons on  
16 parole or mandatory supervised release without prior  
17 ~~written~~ permission of his or her parole agent, except when  
18 the association involves activities related to community  
19 programs, worship services, volunteering, and engaging  
20 families, and not knowingly associate with persons who are  
21 members of an organized gang as that term is defined in the  
22 Illinois Streetgang Terrorism Omnibus Prevention Act  
23 without prior permission of his or her parole agent;

24 (14) provide true and accurate information, as it  
25 relates to his or her adjustment in the community while on  
26 parole or mandatory supervised release or to his or her

1           conduct while incarcerated, in response to inquiries by his  
2           or her parole agent or of the Department of Corrections;

3           (15) follow any specific instructions provided by the  
4           parole agent that are consistent with furthering  
5           conditions set and approved by the Prisoner Review Board or  
6           by law, exclusive of placement on electronic detention, to  
7           achieve the goals and objectives of his or her parole or  
8           mandatory supervised release or to protect the public.  
9           These instructions by the parole agent may be modified at  
10          any time, as the agent deems appropriate;

11          (16) if convicted of a sex offense as defined in  
12          subsection (a-5) of Section 3-1-2 of this Code, unless the  
13          offender is a parent or guardian of the person under 18  
14          years of age present in the home and no non-familial minors  
15          are present, not participate in a holiday event involving  
16          children under 18 years of age, such as distributing candy  
17          or other items to children on Halloween, wearing a Santa  
18          Claus costume on or preceding Christmas, being employed as  
19          a department store Santa Claus, or wearing an Easter Bunny  
20          costume on or preceding Easter;

21          (17) if convicted of a violation of an order of  
22          protection under Section 12-3.4 or Section 12-30 of the  
23          Criminal Code of 1961 or the Criminal Code of 2012, be  
24          placed under electronic surveillance as provided in  
25          Section 5-8A-7 of this Code;

26          (18) comply with the terms and conditions of an order



1 of protection issued pursuant to the Illinois Domestic  
2 Violence Act of 1986; an order of protection issued by the  
3 court of another state, tribe, or United States territory;  
4 a no contact order issued pursuant to the Civil No Contact  
5 Order Act; or a no contact order issued pursuant to the  
6 Stalking No Contact Order Act;

7 (19) if convicted of a violation of the Methamphetamine  
8 Control and Community Protection Act, the Methamphetamine  
9 Precursor Control Act, or a methamphetamine related  
10 offense, be:

11 (A) prohibited from purchasing, possessing, or  
12 having under his or her control any product containing  
13 pseudoephedrine unless prescribed by a physician; and

14 (B) prohibited from purchasing, possessing, or  
15 having under his or her control any product containing  
16 ammonium nitrate;

17 (20) if convicted of a hate crime under Section 12-7.1  
18 of the Criminal Code of 2012, perform public or community  
19 service of no less than 200 hours and enroll in an  
20 educational program discouraging hate crimes involving the  
21 protected class identified in subsection (a) of Section  
22 12-7.1 of the Criminal Code of 2012 that gave rise to the  
23 offense the offender committed ordered by the court; and

24 (21) be evaluated by the Department of Corrections  
25 prior to release using a validated risk assessment and be  
26 subject to a corresponding level of supervision. In

1           accordance with the findings of that evaluation:

2           (A) All subjects found to be at a moderate or high  
3           risk to recidivate, or on parole or mandatory  
4           supervised release for first degree murder, a forcible  
5           felony as defined in Section 2-8 of the Criminal Code  
6           of 2012, any felony that requires registration as a sex  
7           offender under the Sex Offender Registration Act, or a  
8           Class X felony or Class 1 felony that is not a  
9           violation of the Cannabis Control Act, the Illinois  
10          Controlled Substances Act, or the Methamphetamine  
11          Control and Community Protection Act, shall be subject  
12          to high level supervision. The Department shall define  
13          high level supervision based upon evidence-based and  
14          research-based practices. Notwithstanding this  
15          placement on high level supervision, placement of the  
16          subject on electronic monitoring or detention shall  
17          not occur unless it is required by law or expressly  
18          ordered or approved by the Prisoner Review Board.

19          (B) All subjects found to be at a low risk to  
20          recidivate shall be subject to low-level supervision,  
21          except for those subjects on parole or mandatory  
22          supervised release for first degree murder, a forcible  
23          felony as defined in Section 2-8 of the Criminal Code  
24          of 2012, any felony that requires registration as a sex  
25          offender under the Sex Offender Registration Act, or a  
26          Class X felony or Class 1 felony that is not a

1 violation of the Cannabis Control Act, the Illinois  
2 Controlled Substances Act, or the Methamphetamine  
3 Control and Community Protection Act. Low level  
4 supervision shall require the subject to check in with  
5 the supervising officer via phone or other electronic  
6 means. Notwithstanding this placement on low level  
7 supervision, placement of the subject on electronic  
8 monitoring or detention shall not occur unless it is  
9 required by law or expressly ordered or approved by the  
10 Prisoner Review Board.

11 (b) The Board may in addition to other conditions require  
12 that the subject:

13 (1) work or pursue a course of study or vocational  
14 training;

15 (2) undergo medical or psychiatric treatment, or  
16 treatment for drug addiction or alcoholism;

17 (3) attend or reside in a facility established for the  
18 instruction or residence of persons on probation or parole;

19 (4) support his or her dependents;

20 (5) (blank);

21 (6) (blank);

22 (7) (blank);

23 (7.5) if convicted for an offense committed on or after  
24 the effective date of this amendatory Act of the 95th  
25 General Assembly that would qualify the accused as a child  
26 sex offender as defined in Section 11-9.3 or 11-9.4 of the

1 Criminal Code of 1961 or the Criminal Code of 2012, refrain  
2 from communicating with or contacting, by means of the  
3 Internet, a person who is related to the accused and whom  
4 the accused reasonably believes to be under 18 years of  
5 age; for purposes of this paragraph (7.5), "Internet" has  
6 the meaning ascribed to it in Section 16-0.1 of the  
7 Criminal Code of 2012; and a person is related to the  
8 accused if the person is: (i) the spouse, brother, or  
9 sister of the accused; (ii) a descendant of the accused;  
10 (iii) a first or second cousin of the accused; or (iv) a  
11 step-child or adopted child of the accused;

12 (7.6) if convicted for an offense committed on or after  
13 June 1, 2009 (the effective date of Public Act 95-983) that  
14 would qualify as a sex offense as defined in the Sex  
15 Offender Registration Act:

16 (i) not access or use a computer or any other  
17 device with Internet capability without the prior  
18 written approval of the Department;

19 (ii) submit to periodic unannounced examinations  
20 of the offender's computer or any other device with  
21 Internet capability by the offender's supervising  
22 agent, a law enforcement officer, or assigned computer  
23 or information technology specialist, including the  
24 retrieval and copying of all data from the computer or  
25 device and any internal or external peripherals and  
26 removal of such information, equipment, or device to

1           conduct a more thorough inspection;

2           (iii) submit to the installation on the offender's  
3 computer or device with Internet capability, at the  
4 offender's expense, of one or more hardware or software  
5 systems to monitor the Internet use; and

6           (iv) submit to any other appropriate restrictions  
7 concerning the offender's use of or access to a  
8 computer or any other device with Internet capability  
9 imposed by the Board, the Department or the offender's  
10 supervising agent; and

11          (8) in addition, if a minor:

12           (i) reside with his or her parents or in a foster  
13 home;

14           (ii) attend school;

15           (iii) attend a non-residential program for youth;

16          or

17           (iv) contribute to his or her own support at home  
18 or in a foster home.

19          (b-1) In addition to the conditions set forth in  
20 subsections (a) and (b), persons required to register as sex  
21 offenders pursuant to the Sex Offender Registration Act, upon  
22 release from the custody of the Illinois Department of  
23 Corrections, may be required by the Board to comply with the  
24 following specific conditions of release:

25           (1) reside only at a Department approved location;

26           (2) comply with all requirements of the Sex Offender

1 Registration Act;

2 (3) notify third parties of the risks that may be  
3 occasioned by his or her criminal record;

4 (4) obtain the approval of an agent of the Department  
5 of Corrections prior to accepting employment or pursuing a  
6 course of study or vocational training and notify the  
7 Department prior to any change in employment, study, or  
8 training;

9 (5) not be employed or participate in any volunteer  
10 activity that involves contact with children, except under  
11 circumstances approved in advance and in writing by an  
12 agent of the Department of Corrections;

13 (6) be electronically monitored for a minimum of 12  
14 months from the date of release as determined by the Board;

15 (7) refrain from entering into a designated geographic  
16 area except upon terms approved in advance by an agent of  
17 the Department of Corrections. The terms may include  
18 consideration of the purpose of the entry, the time of day,  
19 and others accompanying the person;

20 (8) refrain from having any contact, including written  
21 or oral communications, directly or indirectly, personally  
22 or by telephone, letter, or through a third party with  
23 certain specified persons including, but not limited to,  
24 the victim or the victim's family without the prior written  
25 approval of an agent of the Department of Corrections;

26 (9) refrain from all contact, directly or indirectly,

1 personally, by telephone, letter, or through a third party,  
2 with minor children without prior identification and  
3 approval of an agent of the Department of Corrections;

4 (10) neither possess or have under his or her control  
5 any material that is sexually oriented, sexually  
6 stimulating, or that shows male or female sex organs or any  
7 pictures depicting children under 18 years of age nude or  
8 any written or audio material describing sexual  
9 intercourse or that depicts or alludes to sexual activity,  
10 including but not limited to visual, auditory, telephonic,  
11 or electronic media, or any matter obtained through access  
12 to any computer or material linked to computer access use;

13 (11) not patronize any business providing sexually  
14 stimulating or sexually oriented entertainment nor utilize  
15 "900" or adult telephone numbers;

16 (12) not reside near, visit, or be in or about parks,  
17 schools, day care centers, swimming pools, beaches,  
18 theaters, or any other places where minor children  
19 congregate without advance approval of an agent of the  
20 Department of Corrections and immediately report any  
21 incidental contact with minor children to the Department;

22 (13) not possess or have under his or her control  
23 certain specified items of contraband related to the  
24 incidence of sexually offending as determined by an agent  
25 of the Department of Corrections;

26 (14) may be required to provide a written daily log of

1 activities if directed by an agent of the Department of  
2 Corrections;

3 (15) comply with all other special conditions that the  
4 Department may impose that restrict the person from  
5 high-risk situations and limit access to potential  
6 victims;

7 (16) take an annual polygraph exam;

8 (17) maintain a log of his or her travel; or

9 (18) obtain prior approval of his or her parole officer  
10 before driving alone in a motor vehicle.

11 (c) The conditions under which the parole or mandatory  
12 supervised release is to be served shall be communicated to the  
13 person in writing prior to his or her release, and he or she  
14 shall sign the same before release. A signed copy of these  
15 conditions, including a copy of an order of protection where  
16 one had been issued by the criminal court, shall be retained by  
17 the person and another copy forwarded to the officer in charge  
18 of his or her supervision.

19 (d) After a hearing under Section 3-3-9, the Prisoner  
20 Review Board may modify or enlarge the conditions of parole or  
21 mandatory supervised release.

22 (e) The Department shall inform all offenders committed to  
23 the Department of the optional services available to them upon  
24 release and shall assist inmates in availing themselves of such  
25 optional services upon their release on a voluntary basis.

26 (f) (Blank).



1 (Source: P.A. 99-628, eff. 1-1-17; 99-698, eff. 7-29-16;  
2 100-201, eff. 8-18-17; 100-260, eff. 1-1-18; 100-575, eff.  
3 1-8-18.)".