

# HB3124



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3124

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 a person committed to the Department of Corrections or the Department of Juvenile Justice may not be charged for making a telephone call from an institution or facility of the Department.

LRB101 08885 RLC 53975 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, and 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) A person committed to the Department of Corrections  
22 or the Department of Juvenile Justice may not be charged for  
23 making a telephone call from an institution or facility of the

1 ~~Department. Beginning January 1, 2018, the Department of~~  
2 ~~Central Management Services shall contract with the qualified~~  
3 ~~vendor who proposes the lowest per minute rate not exceeding 7~~  
4 ~~cents per minute for debit, prepaid, collect calls and who does~~  
5 ~~not bill to any party any tax, service charge, or additional~~  
6 ~~fee exceeding the per minute rate, including, but not limited~~  
7 ~~to, any per call surcharge, account set up fee, bill statement~~  
8 ~~fee, monthly account maintenance charge, or refund fee as~~  
9 ~~established by the Federal Communications Commission Order for~~  
10 ~~state prisons in the Matter of Rates for Interstate Inmate~~  
11 ~~Calling Services, Second Report and Order, WC Docket 12-375,~~  
12 ~~FCC 15-136 (adopted Oct. 22, 2015). Telephone services made~~  
13 ~~available through a prepaid or collect call system shall~~  
14 ~~include international calls; those calls shall be made~~  
15 ~~available at reasonable rates subject to Federal~~  
16 ~~Communications Commission rules and regulations, but not to~~  
17 ~~exceed 23 cents per minute. This amendatory Act of the 99th~~  
18 ~~General Assembly applies to any new or renewal contract for~~  
19 ~~inmate calling services.~~

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

1 appropriated to the Department of Corrections for the expenses  
2 of the Department.

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

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

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

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

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

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

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

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

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