



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3653

by Rep. Curtis J. Tarver II

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-1

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

Amends the Unified Code of Corrections. Provides that 45 days prior to the scheduled discharge of a person committed to the custody of the Department of Corrections, the Department shall give the person: (1) information about voter registration and may distribute information prepared by the State Board of Elections and may enter into an interagency contract with the State Board of Elections to participate in the automatic voter registration program and be a designated automatic voter registration agency under the Election Code; and (2) information about registering to vote upon discharge from the correctional institution or facility if the person upon discharge would be homeless. Defines "homeless".

LRB101 05541 RLC 50557 b

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.

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

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

5 (b) (Blank).

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

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

10 (c-1) (Blank).

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

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

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

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

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

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

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

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

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

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

22 (1) The Prisoner Review Board.

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

25 The notification shall be provided within 3 days of the
26 person becoming a resident of the facility.

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

8 (e) Upon the release of a committed person on parole,
9 mandatory supervised release, final discharge, pardon, or who
10 has been wrongfully imprisoned, the Department shall verify the
11 released person's full name, date of birth, and social security
12 number. If verification is made by the Department by obtaining
13 a certified copy of the released person's birth certificate and
14 the released person's social security card or other documents
15 authorized by the Secretary, the Department shall provide the
16 birth certificate and social security card or other documents
17 authorized by the Secretary to the released person. If
18 verification by the Department is done by means other than
19 obtaining a certified copy of the released person's birth
20 certificate and the released person's social security card or
21 other documents authorized by the Secretary, the Department
22 shall complete a verification form, prescribed by the Secretary
23 of State, and shall provide that verification form to the
24 released person.

25 (f) Forty-five days prior to the scheduled discharge of a
26 person committed to the custody of the Department of

1 Corrections, the Department shall give the person:

2 (1) who is otherwise uninsured an opportunity to apply
3 for health care coverage including medical assistance
4 under Article V of the Illinois Public Aid Code in
5 accordance with subsection (b) of Section 1-8.5 of the
6 Illinois Public Aid Code, and the Department of Corrections
7 shall provide assistance with completion of the
8 application for health care coverage including medical
9 assistance;

10 (2) information informing the person that Section 2 of
11 Article III of the Illinois Constitution provides that the
12 right to vote of a person convicted of a felony shall be
13 restored not later than the completion of the person's
14 sentence and informing the person about voter registration
15 and shall distribute information prepared by the State
16 Board of Elections about voter registration. The
17 Department of Corrections may enter into an interagency
18 contract with the State Board of Elections to participate
19 in the automatic voter registration program and be a
20 designated automatic voter registration agency under
21 Section 1A-16.2 of the Election Code; and

22 (3) information about registering to vote upon
23 discharge from the correctional institution or facility if
24 the person upon discharge would be homeless. In this
25 paragraph (3), "homeless" means that the person has a
26 nontraditional residence, including, but not limited to, a

1 shelter, day shelter, park bench, street corner, or space
2 under a bridge.

3 The Department may adopt rules to implement this Section.

4 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15;
5 99-907, eff. 7-1-17.)