

SB1744



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1744

Introduced 2/15/2019, by Sen. Christopher Belt

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-1

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

Amends the Unified Code of Corrections. Provides that prior to release of a person on parole, mandatory supervised release, final discharge, or pardon the Department of Corrections shall screen every person for Medicaid eligibility. Requires correctional officials to assist an eligible person to complete a Medicaid application to ensure that the person begins receiving benefits immediately after his or her release.

LRB101 10373 SLF 55479 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 3-14-1 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 (a-3) Prior to release of a person on parole, mandatory
6 supervised release, final discharge, or pardon the Department
7 shall screen every person for Medicaid eligibility. Officials
8 of the correctional institution or facility where the committed
9 person is assigned shall assist an eligible person to complete
10 a Medicaid application to ensure that the person begins
11 receiving benefits immediately after his or her release.

12 (b) (Blank).

13 (c) Except as otherwise provided in this Code, the
14 Department shall establish procedures to provide written
15 notification of any release of any person who has been
16 convicted of a felony to the State's Attorney and sheriff of
17 the county from which the offender was committed, and the
18 State's Attorney and sheriff of the county into which the
19 offender is to be paroled or released. Except as otherwise
20 provided in this Code, the Department shall establish
21 procedures to provide written notification to the proper law
22 enforcement agency for any municipality of any release of any
23 person who has been convicted of a felony if the arrest of the
24 offender or the commission of the offense took place in the
25 municipality, if the offender is to be paroled or released into
26 the municipality, or if the offender resided in the

1 municipality at the time of the commission of the offense. If a
2 person convicted of a felony who is in the custody of the
3 Department of Corrections or on parole or mandatory supervised
4 release informs the Department that he or she has resided,
5 resides, or will reside at an address that is a housing
6 facility owned, managed, operated, or leased by a public
7 housing agency, the Department must send written notification
8 of that information to the public housing agency that owns,
9 manages, operates, or leases the housing facility. The written
10 notification shall, when possible, be given at least 14 days
11 before release of the person from custody, or as soon
12 thereafter as possible. The written notification shall be
13 provided electronically if the State's Attorney, sheriff,
14 proper law enforcement agency, or public housing agency has
15 provided the Department with an accurate and up to date email
16 address.

17 (c-1) (Blank).

18 (c-2) The Department shall establish procedures to provide
19 notice to the Department of State Police of the release or
20 discharge of persons convicted of violations of the
21 Methamphetamine Control and Community Protection Act or a
22 violation of the Methamphetamine Precursor Control Act. The
23 Department of State Police shall make this information
24 available to local, State, or federal law enforcement agencies
25 upon request.

26 (c-5) If a person on parole or mandatory supervised release

1 becomes a resident of a facility licensed or regulated by the
2 Department of Public Health, the Illinois Department of Public
3 Aid, or the Illinois Department of Human Services, the
4 Department of Corrections shall provide copies of the following
5 information to the appropriate licensing or regulating
6 Department and the licensed or regulated facility where the
7 person becomes a resident:

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

10 (2) The social evaluation prepared pursuant to Section
11 3-8-2.

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

14 (4) Reports of disciplinary infractions and
15 dispositions.

16 (5) Any parole plan, including orders issued by the
17 Prisoner Review Board, and any violation reports and
18 dispositions.

19 (6) The name and contact information for the assigned
20 parole agent and parole supervisor.

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

23 (c-10) If a person on parole or mandatory supervised
24 release becomes a resident of a facility licensed or regulated
25 by the Department of Public Health, the Illinois Department of
26 Public Aid, or the Illinois Department of Human Services, the

1 Department of Corrections shall provide written notification
2 of such residence to the following:

3 (1) The Prisoner Review Board.

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

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

8 (d) Upon the release of a committed person on parole,
9 mandatory supervised release, final discharge or pardon, the
10 Department shall provide such person with information
11 concerning programs and services of the Illinois Department of
12 Public Health to ascertain whether such person has been exposed
13 to the human immunodeficiency virus (HIV) or any identified
14 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

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

1 certificate and the released person's social security card or
2 other documents authorized by the Secretary, the Department
3 shall complete a verification form, prescribed by the Secretary
4 of State, and shall provide that verification form to the
5 released person.

6 (f) Forty-five days prior to the scheduled discharge of a
7 person committed to the custody of the Department of
8 Corrections, the Department shall give the person who is
9 otherwise uninsured an opportunity to apply for health care
10 coverage including medical assistance under Article V of the
11 Illinois Public Aid Code in accordance with subsection (b) of
12 Section 1-8.5 of the Illinois Public Aid Code, and the
13 Department of Corrections shall provide assistance with
14 completion of the application for health care coverage
15 including medical assistance. The Department may adopt rules to
16 implement this Section.

17 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15;
18 99-907, eff. 7-1-17.)