



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3924

Introduced 2/22/2021, by Rep. Camille Y. Lilly

SYNOPSIS AS INTRODUCED:

See Index

Creates the Reporting of Deaths in Custody Act. Provides that, if a person dies while in the custody of a law enforcement agency or a peace officer, the law enforcement agency shall report the death to the Illinois Criminal Justice Information Authority no later than 30 days after the date of death. Provides that the report shall be a public record under the Freedom of Information Act. Provides that the Authority shall issue an annual report tabulating and evaluating trends and information on deaths in custody. Provides that the family, next of kin, or other person nominated by the decedent as an emergency contact shall be notified, giving an accurate factual account of the cause of death and circumstances surrounding the death. Amends the Illinois Identification Card Act. Provides that the Secretary of State shall annually report the number of permanent Illinois Identification Cards issued by the Secretary of State to persons presenting verification forms issued by the Department of Juvenile Justice and Department of Corrections; the report shall include data from the previous calendar year and shall reflect any increases or decreases; the Secretary of State shall publish the report on the Secretary's website. Amends the Unified Code of Corrections. Provides that the report of a death of a person to the Authority that occurs while the person is in a county juvenile detention or shelter care facility shall be transmitted to the Department of Juvenile Justice; the report of a death of a person that occurs while the person is in a jail or house of correction shall be transmitted to the Department of Corrections. Makes other changes.

LRB102 17060 KMF 22488 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 1. Short title. This Act may be cited as the
5 Reporting of Deaths in Custody Act.

6 Section 5. Report of deaths of persons in custody in
7 correctional institutions.

8 (a) In this Act, "law enforcement agency" includes the
9 Department of Corrections, the Department of Juvenile Justice,
10 and each law enforcement entity within this State having the
11 authority to arrest and detain persons suspected of, or
12 charged with, committing a criminal offense, and each law
13 enforcement entity that operates a lock up, jail, prison, or
14 any other facility used to detain persons for legitimate law
15 enforcement purposes.

16 (b) In any case in which a person dies while in custody of
17 a law enforcement agency or a peace officer, the law
18 enforcement agency shall report the death in writing to the
19 Illinois Criminal Justice Information Authority, no later than
20 30 days after the date on which the person in custody or
21 incarcerated died. The written report shall contain the
22 following information:

23 (1) facts concerning the death that are in the

1 possession of the law enforcement agency in charge of the
2 facility where the death occurred including, but not
3 limited to, cause and manner of death, race, age, and
4 gender of the decedent;

5 (2) the jurisdiction, the law enforcement agency
6 providing the report, and the local or State facility
7 where the death occurred;

8 (3) if emergency care was requested by the law
9 enforcement agency in response to any illness, injury,
10 self-inflicted or otherwise, or other issue related to
11 rapid deterioration of physical wellness or human
12 subsistence, and details concerning emergency care that
13 was provided to the decedent if emergency care was
14 provided.

15 (c) The law enforcement agency and the involved
16 correctional administrators shall make a good faith effort to
17 obtain all relevant facts and circumstances relevant to the
18 death and include those in the report.

19 (d) The Illinois Criminal Justice Information Authority
20 shall create a standardized form to be used for the purpose of
21 collecting and reporting information as described in
22 subsection (b).

23 (e) Law enforcement agencies shall use the form described
24 in subsection (d) to report all cases in which a person dies
25 while in the custody of a law enforcement agency or a peace
26 officer.

1 (f) The Illinois Criminal Justice Information Authority
2 may determine the manner in which the form is transmitted from
3 a law enforcement agency to the Illinois Criminal Justice
4 Information Authority.

5 (g) The reports shall be public records within the meaning
6 of subsection (c) of Section 2 of the Freedom of Information
7 Act and are open to public inspection, with the exception of
8 any portion of the report that the Illinois Criminal Justice
9 Information Authority determines is privileged or protected
10 under Illinois or federal law.

11 (h) The Illinois Criminal Justice Information Authority
12 shall make available to the public information of all
13 individual reports relating to deaths in custody through the
14 Illinois Criminal Justice Information Authority's website to
15 be updated on a quarterly basis.

16 (i) The Illinois Criminal Justice Information Authority
17 shall issue a public annual report tabulating and evaluating
18 trends and information on deaths in custody, including, but
19 not limited to:

20 (1) information regarding cause and manner of death,
21 race, and the gender of the decedent;

22 (2) the jurisdiction, law enforcement agency providing
23 the report, and local or State facility where the death
24 occurred; and

25 (3) recommendations and State and local efforts
26 underway to reduce deaths in custody.

1 The report shall be submitted to the Governor, Attorney
2 General, and General Assembly and made available to the public
3 on the Illinois Criminal Justice Information Authority's
4 website the first week of February of each year.

5 (j) So that the State may oversee the healthcare provided
6 to any person in the custody of each law enforcement agency
7 within this State, provision of medical services to these
8 persons, general care and treatment, and any other factors
9 that may contribute to the death of any of these persons, the
10 following information shall be made available to the public on
11 the Illinois Criminal Justice Information Authority's website:

12 (1) the number of deaths that occurred during the
13 preceding calendar year;

14 (2) the known, or discoverable upon reasonable
15 inquiry, causes and contributing factors of each of the
16 in-custody deaths as defined in subsection (b); and

17 (3) the law enforcement agency's policies, procedures,
18 and protocols related to:

19 (A) treatment of a person experiencing withdrawal
20 from alcohol or substance use;

21 (B) the facility's provision, or lack of
22 provision, of medications used to treat, mitigate, or
23 address a person's symptoms; and

24 (C) notifying an inmate's next of kin after the
25 inmate's in-custody death.

26 (k) The family, next of kin, or any other person

1 reasonably nominated by the decedent as an emergency contact
2 shall be notified as soon as possible in a suitable manner
3 giving an accurate factual account of the cause of death and
4 circumstances surrounding the death in custody.

5 (l) The law enforcement agency shall name a staff person
6 to act as dedicated family liaison officer to be a point of
7 contact for the family, to make and maintain contact with the
8 family, to report ongoing developments and findings of
9 investigations, and to provide information and practical
10 support. If requested by the deceased's next of kin, the law
11 enforcement agency shall arrange for a chaplain, counselor, or
12 other suitable staff member to meet with the family and
13 discuss any faith considerations or concerns. The family has a
14 right to the medical records of a family member who has died in
15 custody and these records shall be disclosed to them.

16 (m) It is unlawful for a person who is required under this
17 Section to file a report to fail to include in the report facts
18 known or discovered in the report to the Illinois Criminal
19 Justice Information Authority. A violation of this Section is
20 a petty offense in which a fine of \$500 per occurrence shall be
21 imposed. Moneys received from the fines imposed under this
22 subsection (m) shall be paid into the Criminal Justice
23 Information Systems Trust Fund.

24 Section 105. The Illinois Identification Card Act is
25 amended by changing Section 4 as follows:

1 (15 ILCS 335/4) (from Ch. 124, par. 24)

2 Sec. 4. Identification card.

3 (a) The Secretary of State shall issue a standard Illinois
4 Identification Card to any natural person who is a resident of
5 the State of Illinois who applies for such card, or renewal
6 thereof. No identification card shall be issued to any person
7 who holds a valid foreign state identification card, license,
8 or permit unless the person first surrenders to the Secretary
9 of State the valid foreign state identification card, license,
10 or permit. The card shall be prepared and supplied by the
11 Secretary of State and shall include a photograph and
12 signature or mark of the applicant. However, the Secretary of
13 State may provide by rule for the issuance of Illinois
14 Identification Cards without photographs if the applicant has
15 a bona fide religious objection to being photographed or to
16 the display of his or her photograph. The Illinois
17 Identification Card may be used for identification purposes in
18 any lawful situation only by the person to whom it was issued.
19 As used in this Act, "photograph" means any color photograph
20 or digitally produced and captured image of an applicant for
21 an identification card. As used in this Act, "signature" means
22 the name of a person as written by that person and captured in
23 a manner acceptable to the Secretary of State.

24 (a-5) If an applicant for an identification card has a
25 current driver's license or instruction permit issued by the

1 Secretary of State, the Secretary may require the applicant to
2 utilize the same residence address and name on the
3 identification card, driver's license, and instruction permit
4 records maintained by the Secretary. The Secretary may
5 promulgate rules to implement this provision.

6 (a-10) If the applicant is a judicial officer as defined
7 in Section 1-10 of the Judicial Privacy Act or a peace officer,
8 the applicant may elect to have his or her office or work
9 address listed on the card instead of the applicant's
10 residence or mailing address. The Secretary may promulgate
11 rules to implement this provision. For the purposes of this
12 subsection (a-10), "peace officer" means any person who by
13 virtue of his or her office or public employment is vested by
14 law with a duty to maintain public order or to make arrests for
15 a violation of any penal statute of this State, whether that
16 duty extends to all violations or is limited to specific
17 violations.

18 (a-15) The Secretary of State may provide for an expedited
19 process for the issuance of an Illinois Identification Card.
20 The Secretary shall charge an additional fee for the expedited
21 issuance of an Illinois Identification Card, to be set by
22 rule, not to exceed \$75. All fees collected by the Secretary
23 for expedited Illinois Identification Card service shall be
24 deposited into the Secretary of State Special Services Fund.
25 The Secretary may adopt rules regarding the eligibility,
26 process, and fee for an expedited Illinois Identification

1 Card. If the Secretary of State determines that the volume of
2 expedited identification card requests received on a given day
3 exceeds the ability of the Secretary to process those requests
4 in an expedited manner, the Secretary may decline to provide
5 expedited services, and the additional fee for the expedited
6 service shall be refunded to the applicant.

7 (a-20) The Secretary of State shall issue a standard
8 Illinois Identification Card to a committed person upon
9 release on parole, mandatory supervised release, aftercare
10 release, final discharge, or pardon from the Department of
11 Corrections or Department of Juvenile Justice, if the released
12 person presents a certified copy of his or her birth
13 certificate, social security card or other documents
14 authorized by the Secretary, and 2 documents proving his or
15 her Illinois residence address. Documents proving residence
16 address may include any official document of the Department of
17 Corrections or the Department of Juvenile Justice showing the
18 released person's address after release and a Secretary of
19 State prescribed certificate of residency form, which may be
20 executed by Department of Corrections or Department of
21 Juvenile Justice personnel.

22 (a-25) The Secretary of State shall issue a limited-term
23 Illinois Identification Card valid for 90 days to a committed
24 person upon release on parole, mandatory supervised release,
25 aftercare release, final discharge, or pardon from the
26 Department of Corrections or Department of Juvenile Justice,

1 if the released person is unable to present a certified copy of
2 his or her birth certificate and social security card or other
3 documents authorized by the Secretary, but does present a
4 Secretary of State prescribed verification form completed by
5 the Department of Corrections or Department of Juvenile
6 Justice, verifying the released person's date of birth and
7 social security number and 2 documents proving his or her
8 Illinois residence address. The verification form must have
9 been completed no more than 30 days prior to the date of
10 application for the Illinois Identification Card. Documents
11 proving residence address shall include any official document
12 of the Department of Corrections or the Department of Juvenile
13 Justice showing the person's address after release and a
14 Secretary of State prescribed certificate of residency, which
15 may be executed by Department of Corrections or Department of
16 Juvenile Justice personnel.

17 Prior to the expiration of the 90-day period of the
18 limited-term Illinois Identification Card, if the released
19 person submits to the Secretary of State a certified copy of
20 his or her birth certificate and his or her social security
21 card or other documents authorized by the Secretary, a
22 standard Illinois Identification Card shall be issued. A
23 limited-term Illinois Identification Card may not be renewed.

24 (a-26) The Secretary of State shall track and issue an
25 annual report to the Governor, Attorney General, and General
26 Assembly detailing the number of permanent Illinois

1 Identification Cards issued by the Secretary of State to
2 persons presenting verification forms issued by the Department
3 of Juvenile Justice and Department of Corrections. The report
4 shall include comparable data from the previous calendar year
5 and shall reflect any increases or decreases. The Secretary of
6 State shall publish the report on the Secretary of State's
7 website.

8 (a-30) The Secretary of State shall issue a standard
9 Illinois Identification Card to a person upon conditional
10 release or absolute discharge from the custody of the
11 Department of Human Services, if the person presents a
12 certified copy of his or her birth certificate, social
13 security card, or other documents authorized by the Secretary,
14 and a document proving his or her Illinois residence address.
15 The Secretary of State shall issue a standard Illinois
16 Identification Card to a person no sooner than 14 days prior to
17 his or her conditional release or absolute discharge if
18 personnel from the Department of Human Services bring the
19 person to a Secretary of State location with the required
20 documents. Documents proving residence address may include any
21 official document of the Department of Human Services showing
22 the person's address after release and a Secretary of State
23 prescribed verification form, which may be executed by
24 personnel of the Department of Human Services.

25 (a-35) The Secretary of State shall issue a limited-term
26 Illinois Identification Card valid for 90 days to a person

1 upon conditional release or absolute discharge from the
2 custody of the Department of Human Services, if the person is
3 unable to present a certified copy of his or her birth
4 certificate and social security card or other documents
5 authorized by the Secretary, but does present a Secretary of
6 State prescribed verification form completed by the Department
7 of Human Services, verifying the person's date of birth and
8 social security number, and a document proving his or her
9 Illinois residence address. The verification form must have
10 been completed no more than 30 days prior to the date of
11 application for the Illinois Identification Card. The
12 Secretary of State shall issue a limited-term Illinois
13 Identification Card to a person no sooner than 14 days prior to
14 his or her conditional release or absolute discharge if
15 personnel from the Department of Human Services bring the
16 person to a Secretary of State location with the required
17 documents. Documents proving residence address shall include
18 any official document of the Department of Human Services
19 showing the person's address after release and a Secretary of
20 State prescribed verification form, which may be executed by
21 personnel of the Department of Human Services.

22 (b) The Secretary of State shall issue a special Illinois
23 Identification Card, which shall be known as an Illinois
24 Person with a Disability Identification Card, to any natural
25 person who is a resident of the State of Illinois, who is a
26 person with a disability as defined in Section 4A of this Act,

1 who applies for such card, or renewal thereof. No Illinois
2 Person with a Disability Identification Card shall be issued
3 to any person who holds a valid foreign state identification
4 card, license, or permit unless the person first surrenders to
5 the Secretary of State the valid foreign state identification
6 card, license, or permit. The Secretary of State shall charge
7 no fee to issue such card. The card shall be prepared and
8 supplied by the Secretary of State, and shall include a
9 photograph and signature or mark of the applicant, a
10 designation indicating that the card is an Illinois Person
11 with a Disability Identification Card, and shall include a
12 comprehensible designation of the type and classification of
13 the applicant's disability as set out in Section 4A of this
14 Act. However, the Secretary of State may provide by rule for
15 the issuance of Illinois Person with a Disability
16 Identification Cards without photographs if the applicant has
17 a bona fide religious objection to being photographed or to
18 the display of his or her photograph. If the applicant so
19 requests, the card shall include a description of the
20 applicant's disability and any information about the
21 applicant's disability or medical history which the Secretary
22 determines would be helpful to the applicant in securing
23 emergency medical care. If a mark is used in lieu of a
24 signature, such mark shall be affixed to the card in the
25 presence of two witnesses who attest to the authenticity of
26 the mark. The Illinois Person with a Disability Identification

1 Card may be used for identification purposes in any lawful
2 situation by the person to whom it was issued.

3 The Illinois Person with a Disability Identification Card
4 may be used as adequate documentation of disability in lieu of
5 a physician's determination of disability, a determination of
6 disability from a physician assistant, a determination of
7 disability from an advanced practice registered nurse, or any
8 other documentation of disability whenever any State law
9 requires that a person with a disability provide such
10 documentation of disability, however an Illinois Person with a
11 Disability Identification Card shall not qualify the
12 cardholder to participate in any program or to receive any
13 benefit which is not available to all persons with like
14 disabilities. Notwithstanding any other provisions of law, an
15 Illinois Person with a Disability Identification Card, or
16 evidence that the Secretary of State has issued an Illinois
17 Person with a Disability Identification Card, shall not be
18 used by any person other than the person named on such card to
19 prove that the person named on such card is a person with a
20 disability or for any other purpose unless the card is used for
21 the benefit of the person named on such card, and the person
22 named on such card consents to such use at the time the card is
23 so used.

24 An optometrist's determination of a visual disability
25 under Section 4A of this Act is acceptable as documentation
26 for the purpose of issuing an Illinois Person with a

1 Disability Identification Card.

2 When medical information is contained on an Illinois
3 Person with a Disability Identification Card, the Office of
4 the Secretary of State shall not be liable for any actions
5 taken based upon that medical information.

6 (c) The Secretary of State shall provide that each
7 original or renewal Illinois Identification Card or Illinois
8 Person with a Disability Identification Card issued to a
9 person under the age of 21 shall be of a distinct nature from
10 those Illinois Identification Cards or Illinois Person with a
11 Disability Identification Cards issued to individuals 21 years
12 of age or older. The color designated for Illinois
13 Identification Cards or Illinois Person with a Disability
14 Identification Cards for persons under the age of 21 shall be
15 at the discretion of the Secretary of State.

16 (c-1) Each original or renewal Illinois Identification
17 Card or Illinois Person with a Disability Identification Card
18 issued to a person under the age of 21 shall display the date
19 upon which the person becomes 18 years of age and the date upon
20 which the person becomes 21 years of age.

21 (c-3) The General Assembly recognizes the need to identify
22 military veterans living in this State for the purpose of
23 ensuring that they receive all of the services and benefits to
24 which they are legally entitled, including healthcare,
25 education assistance, and job placement. To assist the State
26 in identifying these veterans and delivering these vital

1 services and benefits, the Secretary of State is authorized to
2 issue Illinois Identification Cards and Illinois Person with a
3 Disability Identification Cards with the word "veteran"
4 appearing on the face of the cards. This authorization is
5 predicated on the unique status of veterans. The Secretary may
6 not issue any other identification card which identifies an
7 occupation, status, affiliation, hobby, or other unique
8 characteristics of the identification card holder which is
9 unrelated to the purpose of the identification card.

10 (c-5) Beginning on or before July 1, 2015, the Secretary
11 of State shall designate a space on each original or renewal
12 identification card where, at the request of the applicant,
13 the word "veteran" shall be placed. The veteran designation
14 shall be available to a person identified as a veteran under
15 subsection (b) of Section 5 of this Act who was discharged or
16 separated under honorable conditions.

17 (d) The Secretary of State may issue a Senior Citizen
18 discount card, to any natural person who is a resident of the
19 State of Illinois who is 60 years of age or older and who
20 applies for such a card or renewal thereof. The Secretary of
21 State shall charge no fee to issue such card. The card shall be
22 issued in every county and applications shall be made
23 available at, but not limited to, nutrition sites, senior
24 citizen centers and Area Agencies on Aging. The applicant,
25 upon receipt of such card and prior to its use for any purpose,
26 shall have affixed thereon in the space provided therefor his

1 signature or mark.

2 (e) The Secretary of State, in his or her discretion, may
3 designate on each Illinois Identification Card or Illinois
4 Person with a Disability Identification Card a space where the
5 card holder may place a sticker or decal, issued by the
6 Secretary of State, of uniform size as the Secretary may
7 specify, that shall indicate in appropriate language that the
8 card holder has renewed his or her Illinois Identification
9 Card or Illinois Person with a Disability Identification Card.
10 (Source: P.A. 99-143, eff. 7-27-15; 99-173, eff. 7-29-15;
11 99-305, eff. 1-1-16; 99-642, eff. 7-28-16; 99-907, eff.
12 7-1-17; 100-513, eff. 1-1-18; 100-717, eff. 7-1-19.)

13 Section 110. The Unified Code of Corrections is amended by
14 changing Sections 3-2.5-75, 3-14-1, and 3-15-2 as follows:

15 (730 ILCS 5/3-2.5-75)

16 Sec. 3-2.5-75. Release from Department of Juvenile
17 Justice.

18 (a) Upon release of a youth on aftercare, the Department
19 shall return all property held for the youth, provide the
20 youth with suitable clothing, and procure necessary
21 transportation for the youth to his or her designated place of
22 residence and employment. It may provide the youth with a
23 grant of money for travel and expenses which may be paid in
24 installments. The amount of the money grant shall be

1 determined by the Department.

2 (b) Before a wrongfully imprisoned person, as defined in
3 Section 3-1-2 of this Code, is discharged from the Department,
4 the Department shall provide him or her with any documents
5 necessary after discharge.

6 (c) The Department of Juvenile Justice may establish and
7 maintain, in any institution it administers, revolving funds
8 to be known as "Travel and Allowances Revolving Funds". These
9 revolving funds shall be used for advancing travel and expense
10 allowances to committed, released, and discharged youth. The
11 moneys paid into these revolving funds shall be from
12 appropriations to the Department for committed, released, and
13 discharged prisoners.

14 (d) Upon the release of a youth on aftercare, the
15 Department shall provide that youth with information
16 concerning programs and services of the Department of Public
17 Health to ascertain whether that youth has been exposed to the
18 human immunodeficiency virus (HIV) or any identified causative
19 agent of Acquired Immunodeficiency Syndrome (AIDS).

20 (e) Upon the release of a youth on aftercare or who has
21 been wrongfully imprisoned, the Department shall verify the
22 youth's full name, date of birth, and social security number.
23 If verification is made by the Department by obtaining a
24 certified copy of the youth's birth certificate and the
25 youth's social security card or other documents authorized by
26 the Secretary, the Department shall provide the birth

1 certificate and social security card or other documents
2 authorized by the Secretary to the youth. If verification is
3 done by means other than obtaining a certified copy of the
4 youth's birth certificate and the youth's social security card
5 or other documents authorized by the Secretary, the Department
6 shall complete a verification form, prescribed by the
7 Secretary of State and shall provide that verification form to
8 the youth.

9 (f) In order to determine how many persons released from
10 incarceration in the Department of Juvenile Justice obtained
11 permanent Illinois Identification Cards, the Department of
12 Juvenile Justice shall track and issue an annual report to the
13 Governor, Attorney General, and General Assembly detailing the
14 number of birth certificates obtained for persons while in its
15 custody, the number of social security cards obtained for
16 persons while in its custody, and the number of verification
17 forms issued to persons in its custody within 30 days of a
18 person's release from custody. The report shall include
19 comparable data from the previous calendar year and shall
20 reflect any increases or decreases. The Department of Juvenile
21 Justice shall publish the reports on its website.

22 (Source: P.A. 98-558, eff. 1-1-14; 98-685, eff. 1-1-15;
23 99-907, eff. 7-1-17.)

24 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

25 Sec. 3-14-1. Release from the institution.

1 (a) Upon release of a person on parole, mandatory release,
2 final discharge or pardon the Department shall return all
3 property held for him, provide him with suitable clothing and
4 procure necessary transportation for him to his designated
5 place of residence and employment. It may provide such person
6 with a grant of money for travel and expenses which may be paid
7 in installments. The amount of the money grant shall be
8 determined by the Department.

9 (a-1) The Department shall, before a wrongfully imprisoned
10 person, as defined in Section 3-1-2 of this Code, is
11 discharged from the Department, provide him or her with any
12 documents necessary after discharge.

13 (a-2) The Department of Corrections may establish and
14 maintain, in any institution it administers, revolving funds
15 to be known as "Travel and Allowances Revolving Funds". These
16 revolving funds shall be used for advancing travel and expense
17 allowances to committed, paroled, and discharged prisoners.
18 The moneys paid into such revolving funds shall be from
19 appropriations to the Department for Committed, Paroled, and
20 Discharged Prisoners.

21 (a-3) Upon release of a person who is eligible to vote on
22 parole, mandatory release, final discharge, or pardon, the
23 Department shall provide the person with a form that informs
24 him or her that his or her voting rights have been restored and
25 a voter registration application. The Department shall have
26 available voter registration applications in the languages

1 provided by the Illinois State Board of Elections. The form
2 that informs the person that his or her rights have been
3 restored shall include the following information:

4 (1) All voting rights are restored upon release from
5 the Department's custody.

6 (2) A person who is eligible to vote must register in
7 order to be able to vote.

8 The Department of Corrections shall confirm that the
9 person received the voter registration application and has
10 been informed that his or her voting rights have been
11 restored.

12 (a-4) ~~(a-3)~~ Prior to release of a person on parole,
13 mandatory supervised release, final discharge, or pardon, the
14 Department shall screen every person for Medicaid eligibility.
15 Officials of the correctional institution or facility where
16 the committed person is assigned shall assist an eligible
17 person to complete a Medicaid application to ensure that the
18 person begins receiving benefits as soon as possible after his
19 or her release. The application must include the eligible
20 person's address associated with his or her residence upon
21 release from the facility. If the residence is temporary, the
22 eligible person must notify the Department of Human Services
23 of his or her change in address upon transition to permanent
24 housing.

25 (b) (Blank).

26 (c) Except as otherwise provided in this Code, the

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

1 proper law enforcement agency, or public housing agency has
2 provided the Department with an accurate and up to date email
3 address.

4 (c-1) (Blank).

5 (c-2) The Department shall establish procedures to provide
6 notice to the Department of State Police of the release or
7 discharge of persons convicted of violations of the
8 Methamphetamine Control and Community Protection Act or a
9 violation of the Methamphetamine Precursor Control Act. The
10 Department of State Police shall make this information
11 available to local, State, or federal law enforcement agencies
12 upon request.

13 (c-5) If a person on parole or mandatory supervised
14 release becomes a resident of a facility licensed or regulated
15 by the Department of Public Health, the Illinois Department of
16 Public Aid, or the Illinois Department of Human Services, the
17 Department of Corrections shall provide copies of the
18 following information to the appropriate licensing or
19 regulating Department and the licensed or regulated facility
20 where the person becomes a resident:

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

23 (2) The social evaluation prepared pursuant to Section
24 3-8-2.

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

1 (4) Reports of disciplinary infractions and
2 dispositions.

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

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

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

10 (c-10) If a person on parole or mandatory supervised
11 release becomes a resident of a facility licensed or regulated
12 by the Department of Public Health, the Illinois Department of
13 Public Aid, or the Illinois Department of Human Services, the
14 Department of Corrections shall provide written notification
15 of such residence to the following:

16 (1) The Prisoner Review Board.

17 (2) The chief of police and sheriff in the
18 municipality and county in which the licensed facility is
19 located.

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

22 (d) Upon the release of a committed person on parole,
23 mandatory supervised release, final discharge or pardon, the
24 Department shall provide such person with information
25 concerning programs and services of the Illinois Department of
26 Public Health to ascertain whether such person has been

1 exposed to the human immunodeficiency virus (HIV) or any
2 identified causative agent of Acquired Immunodeficiency
3 Syndrome (AIDS).

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

21 (f) Forty-five days prior to the scheduled discharge of a
22 person committed to the custody of the Department of
23 Corrections, the Department shall give the person who is
24 otherwise uninsured an opportunity to apply for health care
25 coverage including medical assistance under Article V of the
26 Illinois Public Aid Code in accordance with subsection (b) of

1 Section 1-8.5 of the Illinois Public Aid Code, and the
2 Department of Corrections shall provide assistance with
3 completion of the application for health care coverage
4 including medical assistance. The Department may adopt rules
5 to implement this Section.

6 (g) In order to determine how many persons released from
7 incarceration in the Department obtained permanent Illinois
8 Identification Cards, the Department shall track and issue an
9 annual report to the Governor, Attorney General, and General
10 Assembly detailing the number of birth certificates obtained
11 for persons while in its custody, the number of social
12 security cards obtained for persons while in its custody, and
13 the number of verification forms issued to persons in its
14 custody within 30 days of a person's release from custody. The
15 report shall include comparable data from the previous
16 calendar year and shall reflect any increases or decreases.
17 The Department shall publish the reports on its website.

18 (Source: P.A. 101-351, eff. 1-1-20; 101-442, eff. 1-1-20;
19 revised 9-9-19.)

20 (730 ILCS 5/3-15-2) (from Ch. 38, par. 1003-15-2)

21 Sec. 3-15-2. Standards and Assistance to Local Jails and
22 Detention and Shelter Care Facilities.

23 (a) The Department of Corrections shall establish for the
24 operation of county and municipal jails and houses of
25 correction, minimum standards for the physical condition of

1 such institutions and for the treatment of inmates with
2 respect to their health and safety and the security of the
3 community.

4 The Department of Juvenile Justice shall establish for the
5 operation of county juvenile detention and shelter care
6 facilities established pursuant to the County Shelter Care and
7 Detention Home Act, minimum standards for the physical
8 condition of such institutions and for the treatment of
9 juveniles with respect to their health and safety and the
10 security of the community.

11 Such standards shall not apply to county shelter care
12 facilities which were in operation prior to January 1, 1980.
13 Such standards shall not seek to mandate minimum floor space
14 requirements for each inmate housed in cells and detention
15 rooms in county and municipal jails and houses of correction.
16 However, no more than two inmates may be housed in a single
17 cell or detention room.

18 When an inmate is tested for an airborne communicable
19 disease, as determined by the Illinois Department of Public
20 Health including but not limited to tuberculosis, the results
21 of the test shall be personally delivered by the warden or his
22 or her designee in a sealed envelope to the judge of the court
23 in which the inmate must appear for the judge's inspection in
24 camera if requested by the judge. Acting in accordance with
25 the best interests of those in the courtroom, the judge shall
26 have the discretion to determine what if any precautions need

1 to be taken to prevent transmission of the disease in the
2 courtroom.

3 (b) At least once each year, the Department of Corrections
4 may inspect each adult facility for compliance with the
5 standards established and the results of such inspection shall
6 be made available by the Department for public inspection. At
7 least once each year, the Department of Juvenile Justice shall
8 inspect each county juvenile detention and shelter care
9 facility for compliance with the standards established, and
10 the Department of Juvenile Justice shall make the results of
11 such inspections available for public inspection. If any
12 detention, shelter care or correctional facility does not
13 comply with the standards established, the Director of
14 Corrections or the Director of Juvenile Justice, as the case
15 may be, shall give notice to the county board and the sheriff
16 or the corporate authorities of the municipality, as the case
17 may be, of such noncompliance, specifying the particular
18 standards that have not been met by such facility. If the
19 facility is not in compliance with such standards when six
20 months have elapsed from the giving of such notice, the
21 Director of Corrections or the Director of Juvenile Justice,
22 as the case may be, may petition the appropriate court for an
23 order requiring such facility to comply with the standards
24 established by the Department or for other appropriate relief.

25 (c) The Department of Corrections may provide consultation
26 services for the design, construction, programs and

1 administration of correctional facilities and services for
2 adults operated by counties and municipalities and may make
3 studies and surveys of the programs and the administration of
4 such facilities. Personnel of the Department shall be admitted
5 to these facilities as required for such purposes. The
6 Department may develop and administer programs of
7 grants-in-aid for correctional services in cooperation with
8 local agencies. The Department may provide courses of training
9 for the personnel of such institutions and conduct pilot
10 projects in the institutions.

11 (c-5) The Department of Juvenile Justice may provide
12 consultation services for the design, construction, programs,
13 and administration of detention and shelter care services for
14 children operated by counties and municipalities and may make
15 studies and surveys of the programs and the administration of
16 such facilities. Personnel of the Department of Juvenile
17 Justice shall be admitted to these facilities as required for
18 such purposes. The Department of Juvenile Justice may develop
19 and administer programs of grants-in-aid for juvenile
20 correctional services in cooperation with local agencies. The
21 Department of Juvenile Justice may provide courses of training
22 for the personnel of such institutions and conduct pilot
23 projects in the institutions.

24 (d) The Department is authorized to issue reimbursement
25 grants for counties, municipalities or public building
26 commissions for the purpose of meeting minimum correctional

1 facilities standards set by the Department under this Section.
2 Grants may be issued only for projects that were completed
3 after July 1, 1980 and initiated prior to January 1, 1987.

4 (1) Grants for regional correctional facilities shall
5 not exceed 90% of the project costs or \$7,000,000,
6 whichever is less.

7 (2) Grants for correctional facilities by a single
8 county, municipality or public building commission shall
9 not exceed 75% of the proposed project costs or
10 \$4,000,000, whichever is less.

11 (3) As used in this subsection (d), "project" means
12 only that part of a facility that is constructed for jail,
13 correctional or detention purposes and does not include
14 other areas of multi-purpose buildings.

15 Construction or renovation grants are authorized to be
16 issued by the Capital Development Board from capital
17 development bond funds after application by a county or
18 counties, municipality or municipalities or public building
19 commission or commissions and approval of a construction or
20 renovation grant by the Department for projects initiated
21 after January 1, 1987.

22 (e) The Department of Corrections shall adopt standards
23 for county jails to hold juveniles on a temporary basis, as
24 provided in Section 5-410 of the Juvenile Court Act of 1987.
25 These standards shall include monitoring, educational,
26 recreational, and disciplinary standards as well as access to

1 medical services, crisis intervention, mental health services,
2 suicide prevention, health care, nutritional needs, and
3 visitation rights. The Department of Corrections shall also
4 notify any county applying to hold juveniles in a county jail
5 of the standards for juvenile detention under Section 5-410 of
6 the Juvenile Court Act of 1987.

7 (f) The report of a death of a person to the Illinois
8 Criminal Justice Information Authority under the Reporting of
9 Deaths in Custody Act that occurs while the person is in the
10 custody of a county juvenile detention or shelter care
11 facility shall be transmitted to the Department of Juvenile
12 Justice. The report of a death of a person under the Reporting
13 of Deaths in Custody Act that occurs while the person is in the
14 custody of a county or municipal jail or house of correction
15 shall be transmitted to the Department of Corrections. The
16 report of those deaths as provided in this subsection (f)
17 shall be the only report of those deaths that is required to be
18 reported by the Department of Corrections and the Department
19 of Juvenile Justice to the Illinois Criminal Justice
20 Information Authority.

21 (Source: P.A. 98-685, eff. 1-1-15.)

22 Section 995. No acceleration or delay. Where this Act
23 makes changes in a statute that is represented in this Act by
24 text that is not yet or no longer in effect (for example, a
25 Section represented by multiple versions), the use of that

1 text does not accelerate or delay the taking effect of (i) the
2 changes made by this Act or (ii) provisions derived from any
3 other Public Act.

1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 15 ILCS 335/4 from Ch. 124, par. 24

5 730 ILCS 5/3-2.5-75

6 730 ILCS 5/3-14-1 from Ch. 38, par. 1003-14-1

7 730 ILCS 5/3-15-2 from Ch. 38, par. 1003-15-2