



Rep. Brandon W. Phelps

**Filed: 3/17/2015**

09900HB3927ham001

LRB099 09174 RLC 32388 a

1 AMENDMENT TO HOUSE BILL 3927

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3927 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by  
5 changing Section 3-3-1 as follows:

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

7 Sec. 3-3-1. Establishment and Appointment of Prisoner  
8 Review Board.

9 (a) There shall be a Prisoner Review Board independent of  
10 the Department of Corrections which shall be:

11 (1) the paroling authority for persons sentenced under  
12 the law in effect prior to the effective date of this  
13 amendatory Act of 1977;

14 (1.5) the authority for hearing and deciding the time  
15 of aftercare release for persons adjudicated delinquent  
16 under the Juvenile Court Act of 1987;

1           (2) the board of review for cases involving the  
2 revocation of sentence credits or a suspension or reduction  
3 in the rate of accumulating the credit;

4           (3) the board of review and recommendation for the  
5 exercise of executive clemency by the Governor;

6           (4) the authority for establishing release dates for  
7 certain prisoners sentenced under the law in existence  
8 prior to the effective date of this amendatory Act of 1977,  
9 in accordance with Section 3-3-2.1 of this Code;

10           (5) the authority for setting conditions for parole,  
11 mandatory supervised release under Section 5-8-1(a) of  
12 this Code, and aftercare release, and determining whether a  
13 violation of those conditions warrant revocation of  
14 parole, aftercare release, or mandatory supervised release  
15 or the imposition of other sanctions.

16           (b) The Board shall consist of 15 persons appointed by the  
17 Governor by and with the advice and consent of the Senate. One  
18 member of the Board shall be designated by the Governor to be  
19 Chairman and shall serve as Chairman at the pleasure of the  
20 Governor. The members of the Board shall have had at least 5  
21 years of actual experience in the fields of penology,  
22 corrections work, law enforcement, sociology, law, education,  
23 social work, medicine, psychology, other behavioral sciences,  
24 or a combination thereof. At least 6 members so appointed must  
25 have had at least 3 years experience in the field of juvenile  
26 matters. No more than 8 Board members may be members of the

1 same political party.

2 Except as otherwise provided in this subsection (b), each  
3 ~~Each~~ member of the Board shall serve on a full-time basis and  
4 shall not hold any other salaried public office, whether  
5 elective or appointive, nor any other office or position of  
6 profit, nor engage in any other business, employment, or  
7 vocation; however, a member of the Board may teach at an  
8 accredited public or private school, college, or university and  
9 may receive a salary for that teaching. A member of the Board  
10 shall be allowed to teach only at times in which he or she is  
11 not engaged in his or her duties as a member of the Board. The  
12 Chairman of the Board shall receive \$35,000 a year, or an  
13 amount set by the Compensation Review Board, whichever is  
14 greater, and each other member \$30,000, or an amount set by the  
15 Compensation Review Board, whichever is greater.

16 (c) Notwithstanding any other provision of this Section,  
17 the term of each member of the Board who was appointed by the  
18 Governor and is in office on June 30, 2003 shall terminate at  
19 the close of business on that date or when all of the successor  
20 members to be appointed pursuant to this amendatory Act of the  
21 93rd General Assembly have been appointed by the Governor,  
22 whichever occurs later. As soon as possible, the Governor shall  
23 appoint persons to fill the vacancies created by this  
24 amendatory Act.

25 Of the initial members appointed under this amendatory Act  
26 of the 93rd General Assembly, the Governor shall appoint 5

1 members whose terms shall expire on the third Monday in January  
2 2005, 5 members whose terms shall expire on the third Monday in  
3 January 2007, and 5 members whose terms shall expire on the  
4 third Monday in January 2009. Their respective successors shall  
5 be appointed for terms of 6 years from the third Monday in  
6 January of the year of appointment. Each member shall serve  
7 until his or her successor is appointed and qualified.

8 Any member may be removed by the Governor for incompetence,  
9 neglect of duty, malfeasance or inability to serve.

10 (d) The Chairman of the Board shall be its chief executive  
11 and administrative officer. The Board may have an Executive  
12 Director; if so, the Executive Director shall be appointed by  
13 the Governor with the advice and consent of the Senate. The  
14 salary and duties of the Executive Director shall be fixed by  
15 the Board.

16 (Source: P.A. 97-697, eff. 6-22-12; 98-558, eff. 1-1-14.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law."