

SB3331



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3331

Introduced 2/19/2016, by Sen. Wm. Sam McCann

SYNOPSIS AS INTRODUCED:

730 ILCS 5/5-8-5

from Ch. 38, par. 1005-8-5

Amends the Unified Code of Corrections. Provides that the sheriff shall notify the Department of Corrections of the order of commitment, and the Department shall within 48 hours of notice by the sheriff accept transfer of the offender to the Department, unless the Department is unable to accept the transfer on the grounds that space is not available, in which case the Department shall take custody of the prisoner within 7 days. Expenses incurred due to time spent in custody after the Department has been notified of the transfer and before the prisoner's transfer to the Department of Corrections, shall be paid by the State.

LRB099 19978 SLF 44377 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 5-8-5 as follows:

6 (730 ILCS 5/5-8-5) (from Ch. 38, par. 1005-8-5)

7 Sec. 5-8-5. Commitment of the Offender. Upon rendition of
8 judgment after pronouncement of a sentence of periodic
9 imprisonment, imprisonment, or death, the court shall commit
10 the offender to the custody of the sheriff or to the Department
11 of Corrections. A sheriff in executing an order for commitment
12 to the Department of Corrections shall convey such offender to
13 the nearest receiving station designated by the Department of
14 Corrections. The sheriff shall notify the Department of the
15 order of commitment, and the Department shall within 48 hours
16 of notice by the sheriff accept transfer of the offender to the
17 Department, unless the Department is unable to accept the
18 transfer on the grounds that space is not available, in which
19 case the Department shall take custody of the prisoner within 7
20 calendar days. Expenses incurred due to time spent in custody
21 after the Department has been notified of the transfer, and
22 before the prisoner's transfer to the Department, shall be paid
23 by the State. The court may commit the offender to the custody

1 of the Attorney General of the United States under Section
2 5-8-6 when a sentence for a State offense provides that such
3 sentence is to run concurrently with a previous and unexpired
4 federal sentence. The expense of conveying a person committed
5 by the juvenile court or an offender convicted of a felony
6 shall be paid by the State. Except as otherwise provided in
7 this Section, the ~~The~~ expenses in all other cases shall be paid
8 by the county of the committing court.

9 (Source: P.A. 84-551.)