

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 Sections 3-8-4 and 3-10-4 as follows:

6 (730 ILCS 5/3-8-4) (from Ch. 38, par. 1003-8-4)

7 Sec. 3-8-4. Intradivisional Transfers.

8 (a) After the initial assignments under Sections 3-8-2 and
9 3-8-3, all transfers of committed persons to another
10 institution or facility shall be reviewed and approved by a
11 person or persons designated by the Director. A record of each
12 transfer and the reasons therefor shall be included in the
13 person's master record file.

14 (b) Transfers to facilities for psychiatric treatment and
15 care within the Department shall be made only after prior
16 psychiatric examination and certification to the Director that
17 such transfer is required. Persons in facilities for
18 psychiatric treatment and care within the Department shall be
19 reexamined at least every 6 months. Persons found to no longer
20 require psychiatric treatment and care shall be transferred to
21 other facilities of the Department.

22 (c) A committed person may make a request to be
23 transferred to another institution or facility every 12

1 months.

2 (1) Department staff shall consider programmatic needs
3 and visitation hardships for each committed person
4 requesting to be transferred to ensure the committed
5 person is placed in a facility best suited to the
6 committed person's case plan.

7 (2) Committed persons are expected to be responsible
8 with their transfer requests and shall consider all
9 possible options before requesting a transfer.

10 (Source: P.A. 77-2097.)

11 (730 ILCS 5/3-10-4) (from Ch. 38, par. 1003-10-4)

12 Sec. 3-10-4. Intradivisional Transfers.

13 (a) The transfer of committed persons between institutions
14 or facilities of the Department of Juvenile Justice shall be
15 under this Section, except that emergency transfers shall be
16 under Section 3-6-2.

17 (b) The chief administrative officer of an institution or
18 facility desiring to transfer a committed person to another
19 institution or facility shall notify the Director of Juvenile
20 Justice or his delegate of the basis for the transfer. The
21 Director or his delegate shall approve or deny such request.

22 (c) If a transfer request is made by a committed person or
23 his parent, guardian or nearest relative, the chief
24 administrative officer of the institution or facility from
25 which the transfer is requested shall notify the Director of

1 Juvenile Justice or his delegate of the request, the reasons
2 therefor and his recommendation. The Director of Juvenile
3 Justice or his delegate shall either grant the request or if he
4 denies the request he shall advise the person or his parent,
5 guardian or nearest relative of the basis for the denial.

6 (d) A committed person, or the committed person's parent
7 or guardian, may make a request to be transferred to another
8 institution or facility of the Department of Juvenile Justice
9 at any time.

10 (Source: P.A. 94-696, eff. 6-1-06.)