



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3773

Introduced 2/18/2025, by Rep. Hoan Huynh

#### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-4-1

from Ch. 38, par. 1003-4-1

Amends the Unified Code of Corrections. Deletes provision that the Department of Central Management Services shall contract with the qualified vendor who proposes the lowest per minute rate not exceeding 7 cents per minute for debit, prepaid, collect calls and who does not bill to any party any tax, service charge, or additional fee exceeding the per minute rate, including, but not limited to, any per call surcharge, account set up fee, bill statement fee, monthly account maintenance charge, or refund fee as established by the Federal Communications Commission Order for state prisons in the Matter of Rates for Interstate Inmate Calling Services, Second Report and Order, WC Docket 12-375, FCC 15-136 (adopted Oct. 22, 2015). Provides that the Department of Central Management Services shall contract with a qualified vendor for telephone services in which the cost of the service is not based on the number of telephone calls made. Provides that a committed person is entitled to make free telephone calls from the correctional institution or facility. Provides that neither the Department of Corrections nor its agents may adopt rules that charge a committed person per telephone call made. Provides that the Department of Corrections shall adopt rules determining the length of each call made by a committed person, how many times each day a committed person may make telephone calls, and may prohibit calls for illegal purposes.

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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 3-4-1 as follows:

6 (730 ILCS 5/3-4-1) (from Ch. 38, par. 1003-4-1)

7 Sec. 3-4-1. Gifts and Grants; Special Trusts Funds;  
8 Department of Corrections Reimbursement and Education Fund.

9 (a) The Department may accept, receive and use, for and in  
10 behalf of the State, any moneys, goods or services given for  
11 general purposes of this Code by the federal government or  
12 from any other source, public or private, including  
13 collections from inmates, reimbursement of payments under the  
14 Workers' Compensation Act, and commissions from inmate collect  
15 call telephone systems under an agreement with the Department  
16 of Central Management Services. For these purposes the  
17 Department may comply with such conditions and enter into such  
18 agreements upon such covenants, terms, and conditions as the  
19 Department may deem necessary or desirable, if the agreement  
20 is not in conflict with State law.

21 (a-5) The Department of Central Management Services shall  
22 contract with a qualified vendor for telephone services in  
23 which the cost of the service is not based on the number of

1 telephone calls made. A committed person is entitled to make  
2 free telephone calls from the correctional institution or  
3 facility. Neither the Department of Corrections nor its agents  
4 may adopt rules that charge a committed person per telephone  
5 call made. The Department of Corrections shall adopt rules  
6 determining the length of each call made by a committed  
7 person, how many times each day a committed person may make  
8 telephone calls, and may prohibit calls for illegal purposes.

9 ~~Beginning January 1, 2018, the Department of Central~~  
10 ~~Management Services shall contract with the qualified vendor~~  
11 ~~who proposes the lowest per minute rate not exceeding 7 cents~~  
12 ~~per minute for debit, prepaid, collect calls and who does not~~  
13 ~~bill to any party any tax, service charge, or additional fee~~  
14 ~~exceeding the per minute rate, including, but not limited to,~~  
15 ~~any per call surcharge, account set up fee, bill statement~~  
16 ~~fee, monthly account maintenance charge, or refund fee as~~  
17 ~~established by the Federal Communications Commission Order for~~  
18 ~~state prisons in the Matter of Rates for Interstate Inmate~~  
19 ~~Calling Services, Second Report and Order, WC Docket 12-375,~~  
20 ~~FCC 15-136 (adopted Oct. 22, 2015). Telephone services made~~  
21 ~~available through a prepaid or collect call system shall~~  
22 ~~include international calls; those calls shall be made~~  
23 ~~available at reasonable rates subject to Federal~~  
24 ~~Communications Commission rules and regulations, but not to~~  
25 ~~exceed 23 cents per minute. Public Act 99-878 applies to any~~  
26 ~~new or renewal contract for inmate calling services.~~

1           (b) The Department of Corrections Reimbursement and  
2 Education Fund is hereby created as a special fund in the State  
3 Treasury. The moneys deposited into the Department of  
4 Corrections Reimbursement and Education Fund shall be  
5 appropriated to the Department of Corrections for the expenses  
6 of the Department.

7           The following shall be deposited into the Department of  
8 Corrections Reimbursement and Education Fund:

9           (i) Moneys received or recovered by the Department of  
10 Corrections as reimbursement for expenses incurred for the  
11 incarceration of committed persons.

12           (ii) Moneys received or recovered by the Department as  
13 reimbursement of payments made under the Workers'  
14 Compensation Act.

15           (iii) Moneys received by the Department as commissions  
16 from inmate collect call telephone systems.

17           (iv) Moneys received or recovered by the Department as  
18 reimbursement for expenses incurred by the employment of  
19 persons referred to the Department as participants in the  
20 federal Job Training Partnership Act programs.

21           (v) Federal moneys, including reimbursement and  
22 advances for services rendered or to be rendered and  
23 moneys for other than educational purposes, under grant or  
24 contract.

25           (vi) Moneys identified for deposit into the Fund under  
26 Section 13-44.4 of the School Code.

1 (vii) (Blank).

2 (c) The Department of Juvenile Justice Reimbursement and  
3 Education Fund is created as a special fund in the State  
4 Treasury. The moneys deposited into the Department of Juvenile  
5 Justice Reimbursement Fund and Education shall be appropriated  
6 to the Department of Juvenile Justice for the expenses of the  
7 Department. The following moneys shall be deposited into the  
8 Department of Juvenile Justice Reimbursement Fund and  
9 Education Fund:

10 (i) received or recovered by the Department of  
11 Juvenile Justice as reimbursement for expenses incurred  
12 for the incarceration of committed youth;

13 (ii) received or recovered by the Department as  
14 reimbursement of payments made under the Workers'  
15 Compensation Act;

16 (iii) received or recovered by the Department as  
17 reimbursement for expenses incurred by the employment of  
18 persons referred to the Department as participants in the  
19 federal Job Training Partnership Act programs;

20 (iv) federal moneys, including reimbursement and  
21 advances for services rendered or to be rendered and  
22 moneys for other than educational purposes, under grant or  
23 contract; and

24 (v) moneys identified for deposit into the Fund under  
25 Section 13-44.6 of the School Code.

26 (Source: P.A. 102-350, eff. 8-13-21; 102-699, eff. 7-1-22;

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1 103-616, eff. 7-1-24.)