



Rep. Hoan Huynh

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10400HB3773ham001

LRB104 09839 RLC 24116 a

1 AMENDMENT TO HOUSE BILL 3773

2 AMENDMENT NO. _____. Amend House Bill 3773 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 3-4-1 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

1 Department may comply with such conditions and enter into such
2 agreements upon such covenants, terms, and conditions as the
3 Department may deem necessary or desirable, if the agreement
4 is not in conflict with State law.

5 (a-5) The Department of Central Management Services shall
6 establish a pilot program to contract with a qualified vendor
7 for telephone services in which the cost of the service is not
8 based on the number of telephone calls made. The pilot program
9 shall permit a committed person who is to be released from
10 incarceration within 60 days to make free telephone calls from
11 the correctional institution or facility. Neither the
12 Department of Corrections nor its agents may adopt rules that
13 charge a committed person who is to be released from
14 incarceration within 60 days per telephone call made. The
15 costs of the pilot program shall be the financial
16 responsibility of the Department of Corrections. The
17 Department of Corrections shall adopt rules determining the
18 length of each call made by a committed person, how many times
19 each day a committed person may make telephone calls, and may
20 prohibit calls for illegal purposes. Beginning January 1,
21 2018, the Department of Central Management Services shall
22 contract with the qualified vendor who proposes the lowest per
23 minute rate not exceeding 7 cents per minute for debit,
24 prepaid, collect calls and who does not bill to any party any
25 tax, service charge, or additional fee exceeding the per
26 minute rate, including, but not limited to, any per call

1 ~~surcharge, account set up fee, bill statement fee, monthly~~
2 ~~account maintenance charge, or refund fee as established by~~
3 ~~the Federal Communications Commission Order for state prisons~~
4 ~~in the Matter of Rates for Interstate Inmate Calling Services,~~
5 ~~Second Report and Order, WC Docket 12 375, FCC 15 136 (adopted~~
6 ~~Oct. 22, 2015). Telephone services made available through a~~
7 ~~prepaid or collect call system shall include international~~
8 ~~calls; those calls shall be made available at reasonable rates~~
9 ~~subject to Federal Communications Commission rules and~~
10 ~~regulations, but not to exceed 23 cents per minute. Public Act~~
11 ~~99-878 applies to any new or renewal contract for inmate~~
12 ~~calling services.~~

13 (b) The Department of Corrections Reimbursement and
14 Education Fund is hereby created as a special fund in the State
15 Treasury. The moneys deposited into the Department of
16 Corrections Reimbursement and Education Fund shall be
17 appropriated to the Department of Corrections for the expenses
18 of the Department.

19 The following shall be deposited into the Department of
20 Corrections Reimbursement and Education Fund:

21 (i) Moneys received or recovered by the Department of
22 Corrections as reimbursement for expenses incurred for the
23 incarceration of committed persons.

24 (ii) Moneys received or recovered by the Department as
25 reimbursement of payments made under the Workers'
26 Compensation Act.

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

3 (iv) Moneys received or recovered by the Department as
4 reimbursement for expenses incurred by the employment of
5 persons referred to the Department as participants in the
6 federal Job Training Partnership Act programs.

7 (v) Federal moneys, including reimbursement and
8 advances for services rendered or to be rendered and
9 moneys for other than educational purposes, under grant or
10 contract.

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

13 (vii) (Blank).

14 (c) The Department of Juvenile Justice Reimbursement and
15 Education Fund is created as a special fund in the State
16 Treasury. The moneys deposited into the Department of Juvenile
17 Justice Reimbursement Fund and Education shall be appropriated
18 to the Department of Juvenile Justice for the expenses of the
19 Department. The following moneys shall be deposited into the
20 Department of Juvenile Justice Reimbursement Fund and
21 Education Fund:

22 (i) received or recovered by the Department of
23 Juvenile Justice as reimbursement for expenses incurred
24 for the incarceration of committed youth;

25 (ii) received or recovered by the Department as
26 reimbursement of payments made under the Workers'

1 Compensation Act;

2 (iii) received or recovered by the Department as
3 reimbursement for expenses incurred by the employment of
4 persons referred to the Department as participants in the
5 federal Job Training Partnership Act programs;

6 (iv) federal moneys, including reimbursement and
7 advances for services rendered or to be rendered and
8 moneys for other than educational purposes, under grant or
9 contract; and

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

12 (Source: P.A. 102-350, eff. 8-13-21; 102-699, eff. 7-1-22;
13 103-616, eff. 7-1-24.)".