



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2929

Introduced 2/4/2020, by Sen. Robert Peters

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-9-2	from Ch. 38, par. 1003-9-2
730 ILCS 5/3-12-5	from Ch. 38, par. 1003-12-5
730 ILCS 5/3-13-5	from Ch. 38, par. 1003-13-5

Amends the Unified Code of Corrections. Provides that the wages paid to a person for work as a person committed to the Department of Corrections or the Department of Juvenile Justice, either in the correctional industries program, on work release, or in a work training program, shall not be less than the State minimum wage. Provides that the respective Department shall charge businesses reasonable hourly rates for meals and the housing of committed persons on work release, if applicable. Effective January 1, 2021.

LRB101 19595 RLC 69071 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 WHEREAS, To end the last vestiges of slavery and embrace
3 the spirit and the promise of the Thirteenth Amendment of the
4 United States Constitution, the General Assembly extends the
5 Illinois State minimum wage to persons incarcerated in the
6 Department of Corrections and the Department of Juvenile
7 Justice; therefore

8 **Be it enacted by the People of the State of Illinois,**
9 **represented in the General Assembly:**

10 Section 1. This Act may be referred to as the End Prison
11 Slavery Act.

12 Section 5. The Unified Code of Corrections is amended by
13 changing Sections 3-9-2, 3-12-5, and 3-13-5 as follows:

14 (730 ILCS 5/3-9-2) (from Ch. 38, par. 1003-9-2)

15 Sec. 3-9-2. Work Training Programs.

16 (a) The Department of Juvenile Justice, in conjunction with
17 the private sector, may establish and offer work training to
18 develop work habits and equip persons committed to it with
19 marketable skills to aid in their community placement upon
20 release. Committed persons participating in this program shall
21 be paid wages similar to those of comparable jobs in the

1 surrounding community, which wages shall not be less than the
2 State minimum wage prescribed in Section 4 of the Minimum Wage
3 Law. "Work" includes any task assigned to a committed person
4 for which a wage would have been due, except for his or her
5 status as a committed person. A portion of the wages earned
6 shall go to the Department of Juvenile Justice to pay part of
7 the committed person's room and board, a portion shall be
8 deposited into the Violent Crime Victim's Assistance Fund to
9 assist victims of crime, and the remainder shall be placed into
10 a savings account for the committed person which shall be given
11 to the committed person upon release. The Department shall
12 promulgate rules to regulate the distribution of the wages
13 earned.

14 (b) The Department of Juvenile Justice may establish
15 programs of incentive by achievement, participation in which
16 shall be on a voluntary basis, to sell goods or services to the
17 public with the net earnings distributed to the program
18 participants subject to rules of the Department of Juvenile
19 Justice.

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

21 (730 ILCS 5/3-12-5) (from Ch. 38, par. 1003-12-5)

22 Sec. 3-12-5. Compensation. Persons performing a work
23 assignment under subsection (a) of Section 3-12-2 shall ~~may~~
24 receive wages under rules and regulations of the Department. In
25 determining rates of compensation, the Department shall

1 consider the effort, skill and economic value of the work
2 performed. The compensation paid to a committed person shall
3 not be less than the State minimum wage prescribed in Section 4
4 of the Minimum Wage Law. "Work" includes any task assigned to a
5 committed person for which a wage would have been due, except
6 for his or her status as a committed person. Compensation shall
7 ~~may~~ be given to persons who participate in other programs of
8 the Department. If the committed person files a lawsuit
9 determined frivolous under Article XXII of the Code of Civil
10 Procedure, 50% of the compensation shall be used to offset the
11 filing fees and costs of the lawsuit as provided in that
12 Article until all fees and costs are paid in full. All other
13 wages shall be deposited in the individual's account under
14 rules and regulations of the Department.

15 (Source: P.A. 101-235, eff. 1-1-20.)

16 (730 ILCS 5/3-13-5) (from Ch. 38, par. 1003-13-5)

17 Sec. 3-13-5. Wages and Working Conditions.

18 A person on work release shall not be required to work for
19 less than the prevailing wage or under worse than prevailing
20 working conditions in the area, which shall not be less than
21 the State minimum wage prescribed in Section 4 of the Minimum
22 Wage Law. "Work" includes any task assigned to a committed
23 person for which a wage would have been due, except for his or
24 her status as a committed person. The Department shall charge
25 businesses reasonable hourly rates for meals and the housing of

1 committed persons on work release, if applicable.

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

3 Section 99. Effective date. This Act takes effect January
4 1, 2021.