



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3893

Introduced 2/22/2021, by Rep. Camille Y. Lilly

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-1

from Ch. 38, par. 1003-14-1

Amends the Unified Code of Corrections. Provides that the Department of Corrections shall enter into contracts with the Department of Human Services, the Department of Healthcare and Family Services, and any other appropriate State agencies as the Department of Corrections may direct so that those Departments or agencies may assist persons released from institutions and facilities of the Department of Corrections in obtaining the services provided by those Departments. Provides for the type of services available to released persons. Provides that at least 45 days before the scheduled discharge of a person committed to the custody of the Department of Corrections, the Department shall inform the person that those Departments shall provide that assistance. Provides that if the county or municipality of the released person's residence has established a program for reentry of persons into the community who have been committed to the Department, the Department of Corrections shall inform the person about that program. Provides that the assistance provided under this provision shall be available to the person during the term of his or her parole or mandatory supervised release.

LRB102 14883 KMF 20236 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 3-14-1 as follows:

6 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

7 Sec. 3-14-1. Release from the institution.

8 (a) Upon release of a person on parole, mandatory release,
9 final discharge or pardon the Department shall return all
10 property held for him, provide him with suitable clothing and
11 procure necessary transportation for him to his designated
12 place of residence and employment. It may provide such person
13 with a grant of money for travel and expenses which may be paid
14 in installments. The amount of the money grant shall be
15 determined by the Department.

16 (a-1) The Department shall, before a wrongfully imprisoned
17 person, as defined in Section 3-1-2 of this Code, is
18 discharged from the Department, provide him or her with any
19 documents necessary after discharge.

20 (a-2) The Department of Corrections may establish and
21 maintain, in any institution it administers, revolving funds
22 to be known as "Travel and Allowances Revolving Funds". These
23 revolving funds shall be used for advancing travel and expense

1 allowances to committed, paroled, and discharged prisoners.
2 The moneys paid into such revolving funds shall be from
3 appropriations to the Department for Committed, Paroled, and
4 Discharged Prisoners.

5 (a-3) Upon release of a person who is eligible to vote on
6 parole, mandatory release, final discharge, or pardon, the
7 Department shall provide the person with a form that informs
8 him or her that his or her voting rights have been restored and
9 a voter registration application. The Department shall have
10 available voter registration applications in the languages
11 provided by the Illinois State Board of Elections. The form
12 that informs the person that his or her rights have been
13 restored shall include the following information:

14 (1) All voting rights are restored upon release from
15 the Department's custody.

16 (2) A person who is eligible to vote must register in
17 order to be able to vote.

18 The Department of Corrections shall confirm that the
19 person received the voter registration application and has
20 been informed that his or her voting rights have been
21 restored.

22 (a-4) ~~(a-3)~~ Prior to release of a person on parole,
23 mandatory supervised release, final discharge, or pardon, the
24 Department shall screen every person for Medicaid eligibility.
25 Officials of the correctional institution or facility where
26 the committed person is assigned shall assist an eligible

1 person to complete a Medicaid application to ensure that the
2 person begins receiving benefits as soon as possible after his
3 or her release. The application must include the eligible
4 person's address associated with his or her residence upon
5 release from the facility. If the residence is temporary, the
6 eligible person must notify the Department of Human Services
7 of his or her change in address upon transition to permanent
8 housing.

9 (b) (Blank).

10 (c) Except as otherwise provided in this Code, the
11 Department shall establish procedures to provide written
12 notification of any release of any person who has been
13 convicted of a felony to the State's Attorney and sheriff of
14 the county from which the offender was committed, and the
15 State's Attorney and sheriff of the county into which the
16 offender is to be paroled or released. Except as otherwise
17 provided in this Code, the Department shall establish
18 procedures to provide written notification to the proper law
19 enforcement agency for any municipality of any release of any
20 person who has been convicted of a felony if the arrest of the
21 offender or the commission of the offense took place in the
22 municipality, if the offender is to be paroled or released
23 into the municipality, or if the offender resided in the
24 municipality at the time of the commission of the offense. If a
25 person convicted of a felony who is in the custody of the
26 Department of Corrections or on parole or mandatory supervised

1 release informs the Department that he or she has resided,
2 resides, or will reside at an address that is a housing
3 facility owned, managed, operated, or leased by a public
4 housing agency, the Department must send written notification
5 of that information to the public housing agency that owns,
6 manages, operates, or leases the housing facility. The written
7 notification shall, when possible, be given at least 14 days
8 before release of the person from custody, or as soon
9 thereafter as possible. The written notification shall be
10 provided electronically if the State's Attorney, sheriff,
11 proper law enforcement agency, or public housing agency has
12 provided the Department with an accurate and up to date email
13 address.

14 (c-1) (Blank).

15 (c-2) The Department shall establish procedures to provide
16 notice to the Department of State Police of the release or
17 discharge of persons convicted of violations of the
18 Methamphetamine Control and Community Protection Act or a
19 violation of the Methamphetamine Precursor Control Act. The
20 Department of State Police shall make this information
21 available to local, State, or federal law enforcement agencies
22 upon request.

23 (c-5) If a person on parole or mandatory supervised
24 release becomes a resident of a facility licensed or regulated
25 by the Department of Public Health, the Illinois Department of
26 Public Aid, or the Illinois Department of Human Services, the

1 Department of Corrections shall provide copies of the
2 following information to the appropriate licensing or
3 regulating Department and the licensed or regulated facility
4 where the person becomes a resident:

5 (1) The mittimus and any pre-sentence investigation
6 reports.

7 (2) The social evaluation prepared pursuant to Section
8 3-8-2.

9 (3) Any pre-release evaluation conducted pursuant to
10 subsection (j) of Section 3-6-2.

11 (4) Reports of disciplinary infractions and
12 dispositions.

13 (5) Any parole plan, including orders issued by the
14 Prisoner Review Board, and any violation reports and
15 dispositions.

16 (6) The name and contact information for the assigned
17 parole agent and parole supervisor.

18 This information shall be provided within 3 days of the
19 person becoming a resident of the facility.

20 (c-10) If a person on parole or mandatory supervised
21 release becomes a resident of a facility licensed or regulated
22 by the Department of Public Health, the Illinois Department of
23 Public Aid, or the Illinois Department of Human Services, the
24 Department of Corrections shall provide written notification
25 of such residence to the following:

26 (1) The Prisoner Review Board.

1 (2) The chief of police and sheriff in the
2 municipality and county in which the licensed facility is
3 located.

4 The notification shall be provided within 3 days of the
5 person becoming a resident of the facility.

6 (d) Upon the release of a committed person on parole,
7 mandatory supervised release, final discharge or pardon, the
8 Department shall provide such person with information
9 concerning programs and services of the Illinois Department of
10 Public Health to ascertain whether such person has been
11 exposed to the human immunodeficiency virus (HIV) or any
12 identified causative agent of Acquired Immunodeficiency
13 Syndrome (AIDS).

14 (e) Upon the release of a committed person on parole,
15 mandatory supervised release, final discharge, pardon, or who
16 has been wrongfully imprisoned, the Department shall verify
17 the released person's full name, date of birth, and social
18 security number. If verification is made by the Department by
19 obtaining a certified copy of the released person's birth
20 certificate and the released person's social security card or
21 other documents authorized by the Secretary, the Department
22 shall provide the birth certificate and social security card
23 or other documents authorized by the Secretary to the released
24 person. If verification by the Department is done by means
25 other than obtaining a certified copy of the released person's
26 birth certificate and the released person's social security

1 card or other documents authorized by the Secretary, the
2 Department shall complete a verification form, prescribed by
3 the Secretary of State, and shall provide that verification
4 form to the released person.

5 (f) Forty-five days prior to the scheduled discharge of a
6 person committed to the custody of the Department of
7 Corrections, the Department shall give the person who is
8 otherwise uninsured an opportunity to apply for health care
9 coverage including medical assistance under Article V of the
10 Illinois Public Aid Code in accordance with subsection (b) of
11 Section 1-8.5 of the Illinois Public Aid Code, and the
12 Department of Corrections shall provide assistance with
13 completion of the application for health care coverage
14 including medical assistance. The Department may adopt rules
15 to implement this Section.

16 (g) The Department of Corrections shall enter into
17 contracts with the Department of Human Services, the
18 Department of Healthcare and Family Services, and any other
19 appropriate State agencies as the Department of Corrections
20 may direct so that those Departments may assist persons
21 released from institutions and facilities of the Department of
22 Corrections in obtaining the services provided by those
23 Departments. At least 45 days before the scheduled discharge
24 of a person committed to the custody of the Department of
25 Corrections, the Department shall inform the person that those
26 Departments shall provide that assistance. The assistance

1 provided includes how the person may obtain:

2 (1) housing, whether public or private;

3 (2) public assistance and Medicaid;

4 (3) employment and how to prepare for an employment
5 interview; and

6 (4) other transitional assistance to prevent
7 recidivism.

8 If the county or municipality of the released person's
9 residence has established a program for reentry of persons
10 into the community who have been committed to the Department,
11 the Department of Corrections shall inform the person about
12 that program. The assistance provided under this subsection
13 (g) shall be available to the person during the term of his or
14 her parole or mandatory supervised release.

15 (Source: P.A. 101-351, eff. 1-1-20; 101-442, eff. 1-1-20;
16 revised 9-9-19.)