



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5915

Introduced 11/19/2024, by Rep. Tony M. McCombie - Patrick Windhorst, Jeff Keicher and Norine K. Hammond

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-1

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

Amends the Unified Code of Corrections. Provides that 90 days before the scheduled discharge of a person committed to the custody of the Department of Corrections, the Department shall provide the State's Attorney of the committing county with the sentence calculation conducted by the Department, including documentation of completed programs or services that earned the person sentence credit for successful completion of those programs or services while the person was in custody of the Department. Provides that the State's Attorney may challenge the calculation and request that the Department recalculate the sentence. Provides that upon recalculating the sentence, the State's Attorney may request the Prisoner Review Board to review and approve the calculation.

LRB103 43079 RLC 76333 b

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

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

8 (b) (Blank).

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

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

13 (c-1) (Blank).

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

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

1 following information to the appropriate licensing or
2 regulating Department and the licensed or regulated facility
3 where the person becomes a resident:

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

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

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

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

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

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

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

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

25 (1) The Prisoner Review Board.

26 (2) The chief of police and sheriff in the

1 municipality and county in which the licensed facility is
2 located.

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

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

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

1 Department shall complete a verification form, prescribed by
2 the Secretary of State, and shall provide that verification
3 form to the released person.

4 (f) Forty-five days prior to the scheduled discharge of a
5 person committed to the custody of the Department of
6 Corrections, the Department shall give the person:

7 (1) who is otherwise uninsured an opportunity to apply
8 for health care coverage including medical assistance
9 under Article V of the Illinois Public Aid Code in
10 accordance with subsection (b) of Section 1-8.5 of the
11 Illinois Public Aid Code, and the Department of
12 Corrections shall provide assistance with completion of
13 the application for health care coverage including medical
14 assistance;

15 (2) information about obtaining a standard Illinois
16 Identification Card or a limited-term Illinois
17 Identification Card under Section 4 of the Illinois
18 Identification Card Act if the person has not been issued
19 an Illinois Identification Card under subsection (a-20) of
20 Section 4 of the Illinois Identification Card Act;

21 (3) information about voter registration and may
22 distribute information prepared by the State Board of
23 Elections. The Department of Corrections may enter into an
24 interagency contract with the State Board of Elections to
25 participate in the automatic voter registration program
26 and be a designated automatic voter registration agency

1 under Section 1A-16.2 of the Election Code;

2 (4) information about job listings upon discharge from
3 the correctional institution or facility;

4 (5) information about available housing upon discharge
5 from the correctional institution or facility;

6 (6) a directory of elected State officials and of
7 officials elected in the county and municipality, if any,
8 in which the committed person intends to reside upon
9 discharge from the correctional institution or facility;
10 and

11 (7) any other information that the Department of
12 Corrections deems necessary to provide the committed
13 person in order for the committed person to reenter the
14 community and avoid recidivism.

15 (g) Sixty days before the scheduled discharge of a person
16 committed to the custody of the Department or upon receipt of
17 the person's certified birth certificate and social security
18 card as set forth in subsection (d) of Section 3-8-1 of this
19 Act, whichever occurs later, the Department shall transmit an
20 application for an Identification Card to the Secretary of
21 State, in accordance with subsection (a-20) of Section 4 of
22 the Illinois Identification Card Act.

23 (h) Ninety days before the scheduled discharge of a person
24 committed to the custody of the Department of Corrections, the
25 Department shall provide the State's Attorney of the
26 committing county with the sentence calculation conducted by

1 the Department, including documentation of sentence credit
2 awarded under Section 3-6-3 to the person while the person is
3 serving sentence in a Department of Corrections institution or
4 facility. Such documentation shall include sentence credit
5 awarded for: (1) good conduct in specific instances by the
6 Director of Corrections; (2) passage of high school
7 equivalency testing, if the person has not previously earned a
8 high school diploma or Illinois High School Diploma; (3)
9 obtaining an associate or bachelor's degree, if the person has
10 not previously earned any of those degrees; (4) full-time
11 engagement in substance abuse programs, correctional industry
12 assignments, educational programs, work-release programs or
13 activities in accordance with Article 13 of Chapter III of
14 this Code, behavior modification programs, life skills
15 courses, re-entry planning provided by the Department
16 successfully completed while in the custody of the Department;
17 (5) engagement in self-improvement programs, volunteer work,
18 or work assignments that are not otherwise eligible activities
19 under paragraph (4) of subsection (a) of Section 3-6-3; or (6)
20 other programs or services for which sentence credit may be
21 awarded under Section 3-6-3. The State's Attorney may
22 challenge the calculation and request that the Department
23 recalculate the sentence. Upon recalculating the sentence, the
24 State's Attorney may request the Prisoner Review Board to
25 review and approve the calculation.

26 The Department may adopt rules to implement this Section.

1 (Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21;
2 102-606, eff. 1-1-22; 102-813, eff. 5-13-22; 103-345, eff.
3 1-1-24.)