



Sen. Rachel Ventura

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10300SB0422sam001

LRB103 02874 RLC 60251 a

1 AMENDMENT TO SENATE BILL 422

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 422 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 3-5-1 as follows:

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

7 Sec. 3-5-1. Master Record File.

8 (a) The Department of Corrections and the Department of  
9 Juvenile Justice shall maintain a master record file on each  
10 person committed to it, which shall contain the following  
11 information:

12 (1) all information from the committing court;

13 (1.5) ethnic and racial background data collected in  
14 accordance with Section 4.5 of the Criminal Identification  
15 Act;

16 (2) reception summary;

1 (3) evaluation and assignment reports and  
2 recommendations;

3 (4) reports as to program assignment and progress;

4 (5) reports of disciplinary infractions and  
5 disposition, including tickets and Administrative Review  
6 Board action;

7 (6) any parole or aftercare release plan;

8 (7) any parole or aftercare release reports;

9 (8) the date and circumstances of final discharge;

10 (9) criminal history;

11 (10) current and past gang affiliations and ranks;

12 (11) information regarding associations and family  
13 relationships;

14 (12) any grievances filed and responses to those  
15 grievances; ~~and~~

16 (13) other information that the respective Department  
17 determines is relevant to the secure confinement and  
18 rehabilitation of the committed person; ~~and~~

19 (14) the last known address provided by the person  
20 committed; and

21 (15) all medical and dental records.

22 (b) All files shall be confidential and access shall be  
23 limited to authorized personnel of the respective Department  
24 or by disclosure in accordance with a court order or subpoena.  
25 Personnel of other correctional, welfare or law enforcement  
26 agencies may have access to files under rules and regulations

1 of the respective Department. The respective Department shall  
2 keep a record of all outside personnel who have access to  
3 files, the files reviewed, any file material copied, and the  
4 purpose of access. If the respective Department or the  
5 Prisoner Review Board makes a determination under this Code  
6 which affects the length of the period of confinement or  
7 commitment, the committed person and his counsel shall be  
8 advised of factual information relied upon by the respective  
9 Department or Board to make the determination, provided that  
10 the Department or Board shall not be required to advise a  
11 person committed to the Department of Juvenile Justice any  
12 such information which in the opinion of the Department of  
13 Juvenile Justice or Board would be detrimental to his  
14 treatment or rehabilitation.

15 (c) The master file shall be maintained at a place  
16 convenient to its use by personnel of the respective  
17 Department in charge of the person. When custody of a person is  
18 transferred from the Department to another department or  
19 agency, a summary of the file shall be forwarded to the  
20 receiving agency with such other information required by law  
21 or requested by the agency under rules and regulations of the  
22 respective Department.

23 (d) The master file of a person no longer in the custody of  
24 the respective Department shall be placed on inactive status  
25 and its use shall be restricted subject to rules and  
26 regulations of the Department.

1 (e) All public agencies may make available to the  
2 respective Department on request any factual data not  
3 otherwise privileged as a matter of law in their possession in  
4 respect to individuals committed to the respective Department.

5 (f) A committed person may request a summary of the  
6 committed person's master record file once per year and the  
7 committed person's attorney may request one summary of the  
8 committed person's master record file once per year. The  
9 Department shall create a form for requesting this summary,  
10 and shall make that form available to committed persons and to  
11 the public on its website. Upon receipt of the request form,  
12 the Department shall provide the summary within 15 days. The  
13 summary must contain, unless otherwise prohibited by law:

14 (1) the person's name, ethnic, racial, and other  
15 identifying information;

16 (2) all digitally available information from the  
17 committing court;

18 (3) all information in the Offender 360 system on the  
19 person's criminal history;

20 (4) the person's complete assignment history in the  
21 Department of Corrections;

22 (5) the person's disciplinary card;

23 (6) additional records about up to 3 specific  
24 disciplinary incidents as identified by the requester;

25 (7) any available records about up to 5 specific  
26 grievances filed by the person, as identified by the

1 requester; and

2 (8) the records of all grievances filed on or after  
3 January 1, 2023.

4 Notwithstanding any provision of this subsection (f) to  
5 the contrary, a committed person's master record file is not  
6 subject to disclosure and copying under the Freedom of  
7 Information Act.

8 (g) Subject to appropriation, on or before July 1, 2025,  
9 the Department of Corrections shall digitalize all newly  
10 committed persons' master record files who become incarcerated  
11 and all other new information that the Department maintains  
12 concerning its correctional institutions, facilities, and  
13 individuals incarcerated.

14 (h) Subject to appropriation, on or before July 1, 2027,  
15 the Department of Corrections shall digitalize all medical and  
16 dental records in the master record files and all other  
17 information that the Department maintains concerning its  
18 correctional institutions and facilities in relation to  
19 medical records, dental records, and medical and dental needs  
20 of committed persons.

21 (i) Subject to appropriation, on or before July 1, 2029,  
22 the Department of Corrections shall digitalize all information  
23 in the master record files and all other information that the  
24 Department maintains concerning its correctional institutions  
25 and facilities.

26 (j) The Department of Corrections shall adopt rules to

1 implement subsections (g), (h), and (i) if appropriations are  
2 available to implement these provisions.

3 (k) Subject to appropriation, the Department of  
4 Corrections, in consultation with the Department of Innovation  
5 and Technology, shall conduct a study on the best way to  
6 digitize all Department of Corrections records and the impact  
7 of that digitizing on State agencies, including the impact on  
8 the Department of Innovation and Technology. The study shall  
9 be completed on or before January 1, 2024.

10 (Source: P.A. 102-776, eff. 1-1-23; 102-784, eff. 5-13-22;  
11 revised 12-14-22.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law."