

1 AN ACT concerning State government.

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 3-4-3 as follows:

6 (730 ILCS 5/3-4-3) (from Ch. 38, par. 1003-4-3)

7 Sec. 3-4-3. Funds and Property of Persons Committed.

8 (a) The Department of Corrections and the Department of  
9 Juvenile Justice shall establish accounting records with  
10 accounts for each person who has or receives money while in an  
11 institution or facility of that Department and it shall allow  
12 the withdrawal and disbursement of money by the person under  
13 rules and regulations of that Department. The Department of  
14 Juvenile Justice shall not be required to keep such deposited  
15 moneys in an interest-bearing bank account unless the annual  
16 interest earned would exceed the total annual costs and fees,  
17 including, but not limited to, transaction fees, associated  
18 with maintaining the account. Any interest or other income  
19 which may be earned from moneys deposited with the Department  
20 by a resident of the Department of Juvenile Justice ~~in excess~~  
21 ~~of \$200~~ shall accrue to the individual's account if the  
22 monthly interest attributable to an individual's account  
23 exceeds \$1. All other, ~~or in~~ balances ~~up to \$200~~ shall accrue

1 to the Residents' Benefit Fund. For an individual in an  
2 institution or facility of the Department of Corrections the  
3 interest shall accrue to the Residents' Benefit Fund. The  
4 Department shall disburse all moneys so held no later than the  
5 person's final discharge from the Department. Moneys in the  
6 account of a committed person who files a lawsuit determined  
7 frivolous under Article XXII of the Code of Civil Procedure  
8 shall be deducted to pay for the filing fees and cost of the  
9 suit as provided in that Article. The Department shall under  
10 rules and regulations record and receipt all personal property  
11 not allowed to committed persons. The Department shall return  
12 such property to the individual no later than the person's  
13 release on parole or aftercare.

14 (b) Any money held in accounts of committed persons  
15 separated from the Department by death, discharge, or  
16 unauthorized absence and unclaimed for a period of 1 year  
17 thereafter by the person or his legal representative shall be  
18 transmitted to the State Treasurer who shall deposit it into  
19 the General Revenue Fund. Articles of personal property of  
20 persons so separated may be sold or used by the Department if  
21 unclaimed for a period of 1 year for the same purpose.  
22 Clothing, if unclaimed within 30 days, may be used or disposed  
23 of as determined by the Department.

24 (c) Forty percent of the profits on sales from commissary  
25 stores shall be expended by the Department for the special  
26 benefit of committed persons which shall include but not be

1 limited to the advancement of inmate payrolls, for the special  
2 benefit of employees, and for the advancement or reimbursement  
3 of employee travel, provided that amounts expended for  
4 employees shall not exceed the amount of profits derived from  
5 sales made to employees by such commissaries, as determined by  
6 the Department. The remainder of the profits from sales from  
7 commissary stores must be used first to pay for wages and  
8 benefits of employees covered under a collective bargaining  
9 agreement who are employed at commissary facilities of the  
10 Department and then to pay the costs of dietary staff.

11 (d) The Department shall confiscate any unauthorized  
12 currency found in the possession of a committed person. The  
13 Department shall transmit the confiscated currency to the  
14 State Treasurer who shall deposit it into the General Revenue  
15 Fund.

16 (Source: P.A. 97-1083, eff. 8-24-12; 98-558, eff. 1-1-14.)