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LRB093 16186 RLC 48375 a

1 AMENDMENT TO HOUSE BILL 6786

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 6786 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 3-3-7 as follows:

6 (730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

7 Sec. 3-3-7. Conditions of Parole or Mandatory Supervised  
8 Release.

9 (a) The conditions of parole or mandatory supervised  
10 release shall be such as the Prisoner Review Board deems  
11 necessary to assist the subject in leading a law-abiding life.  
12 The conditions of every parole and mandatory supervised release  
13 are that the subject:

14 (1) not violate any criminal statute of any  
15 jurisdiction during the parole or release term;

16 (2) refrain from possessing a firearm or other  
17 dangerous weapon;

18 (3) report to an agent of the Department of  
19 Corrections;

20 (4) permit the agent to visit him or her at his or her  
21 home, employment, or elsewhere to the extent necessary for  
22 the agent to discharge his or her duties;

23 (5) attend or reside in a facility established for the  
24 instruction or residence of persons on parole or mandatory

1 supervised release;

2 (6) secure permission before visiting or writing a  
3 committed person in an Illinois Department of Corrections  
4 facility;

5 (7) report all arrests to an agent of the Department of  
6 Corrections as soon as permitted by the arresting authority  
7 but in no event later than 24 hours after release from  
8 custody;

9 (7.5) if convicted of a sex offense as defined in the  
10 Sex Offender Management Board Act, the individual shall  
11 undergo and successfully complete sex offender treatment  
12 conducted in conformance with the standards developed by  
13 the Sex Offender Management Board Act by a treatment  
14 provider approved by the Board;

15 (8) obtain permission of an agent of the Department of  
16 Corrections before leaving the State of Illinois;

17 (9) obtain permission of an agent of the Department of  
18 Corrections before changing his or her residence or  
19 employment;

20 (10) consent to a search of his or her person,  
21 property, or residence under his or her control;

22 (11) refrain from the use or possession of narcotics or  
23 other controlled substances in any form, or both, or any  
24 paraphernalia related to those substances and submit to a  
25 urinalysis test as instructed by a parole agent of the  
26 Department of Corrections;

27 (12) not frequent places where controlled substances  
28 are illegally sold, used, distributed, or administered;

29 (13) not knowingly associate with other persons on  
30 parole or mandatory supervised release without prior  
31 written permission of his or her parole agent and not  
32 associate with persons who are members of an organized gang  
33 as that term is defined in the Illinois Streetgang  
34 Terrorism Omnibus Prevention Act;

1           (14) provide true and accurate information, as it  
2 relates to his or her adjustment in the community while on  
3 parole or mandatory supervised release or to his or her  
4 conduct while incarcerated, in response to inquiries by his  
5 or her parole agent or of the Department of Corrections;  
6 and

7           (15) follow any specific instructions provided by the  
8 parole agent that are consistent with furthering  
9 conditions set and approved by the Prisoner Review Board or  
10 by law, exclusive of placement on electronic detention, to  
11 achieve the goals and objectives of his or her parole or  
12 mandatory supervised release or to protect the public.  
13 These instructions by the parole agent may be modified at  
14 any time, as the agent deems appropriate.

15           (b) The Board may in addition to other conditions require  
16 that the subject:

17           (1) work or pursue a course of study or vocational  
18 training;

19           (2) undergo medical or psychiatric treatment, or  
20 treatment for drug addiction or alcoholism;

21           (3) attend or reside in a facility established for the  
22 instruction or residence of persons on probation or parole;

23           (4) support his dependents;

24           (5) (blank);

25           (6) (blank);

26           (7) comply with the terms and conditions of an order of  
27 protection issued pursuant to the Illinois Domestic  
28 Violence Act of 1986, enacted by the 84th General Assembly,  
29 or an order of protection issued by the court of another  
30 state, tribe, or United States territory; and

31           (8) in addition, if a minor:

32           (i) reside with his parents or in a foster home;

33           (ii) attend school;

34           (iii) attend a non-residential program for youth;

1 or

2 (iv) contribute to his own support at home or in a  
3 foster home.

4 (b-1) In addition to the conditions set forth in  
5 subsections (a) and (b), persons required to register as sex  
6 offenders pursuant to the Sex Offender Registration Act, upon  
7 release from the custody of the Illinois Department of  
8 Corrections, may be required by the Board to comply with the  
9 following specific conditions of release:

10 (1) reside only at a Department approved location;

11 (2) comply with all requirements of the Sex Offender  
12 Registration Act;

13 (3) notify third parties of the risks that may be  
14 occasioned by his or her criminal record;

15 (4) obtain the approval of an agent of the Department  
16 of Corrections prior to accepting employment or pursuing a  
17 course of study or vocational training and notify the  
18 Department prior to any change in employment, study, or  
19 training;

20 (5) not be employed or participate in any volunteer  
21 activity that involves contact with children, except under  
22 circumstances approved in advance and in writing by an  
23 agent of the Department of Corrections;

24 (6) be electronically monitored for a minimum of 12  
25 months from the date of release as determined by the Board;

26 (7) refrain from entering into a designated geographic  
27 area except upon terms approved in advance by an agent of  
28 the Department of Corrections. The terms may include  
29 consideration of the purpose of the entry, the time of day,  
30 and others accompanying the person;

31 (8) refrain from having any contact, including written  
32 or oral communications, directly or indirectly, personally  
33 or by telephone, letter, or through a third party with  
34 certain specified persons including, but not limited to,

1 the victim or the victim's family without the prior written  
2 approval of an agent of the Department of Corrections;

3 (9) refrain from all contact, directly or indirectly,  
4 personally, by telephone, letter, or through a third party,  
5 with minor children without prior identification and  
6 approval of an agent of the Department of Corrections;

7 (10) neither possess or have under his or her control  
8 any material that is sexually oriented, sexually  
9 stimulating, or that shows male or female sex organs or any  
10 pictures depicting children under 18 years of age nude or  
11 any written or audio material describing sexual  
12 intercourse or that depicts or alludes to sexual activity,  
13 including but not limited to visual, auditory, telephonic,  
14 or electronic media, or any matter obtained through access  
15 to any computer or material linked to computer access use;

16 (11) not patronize any business providing sexually  
17 stimulating or sexually oriented entertainment nor utilize  
18 "900" or adult telephone numbers;

19 (12) not reside near, visit, or be in or about parks,  
20 schools, day care centers, swimming pools, beaches,  
21 theaters, or any other places where minor children  
22 congregate without advance approval of an agent of the  
23 Department of Corrections and immediately report any  
24 incidental contact with minor children to the Department;

25 (13) not possess or have under his or her control  
26 certain specified items of contraband related to the  
27 incidence of sexually offending as determined by an agent  
28 of the Department of Corrections;

29 (14) may be required to provide a written daily log of  
30 activities if directed by an agent of the Department of  
31 Corrections;

32 (15) comply with all other special conditions that the  
33 Department may impose that restrict the person from  
34 high-risk situations and limit access to potential

1           victims.

2           (c) The conditions under which the parole or mandatory  
3 supervised release is to be served shall be communicated to the  
4 person in writing prior to his release, and he shall sign the  
5 same before release. A signed copy of these conditions,  
6 including a copy of an order of protection where one had been  
7 issued by the criminal court, shall be retained by the person  
8 and another copy forwarded to the officer in charge of his  
9 supervision.

10          (d) After a hearing under Section 3-3-9, the Prisoner  
11 Review Board may modify or enlarge the conditions of parole or  
12 mandatory supervised release.

13          (e) The Department shall inform all offenders committed to  
14 the Department of the optional services available to them upon  
15 release and shall assist inmates in availing themselves of such  
16 optional services upon their release on a voluntary basis.

17          (Source: P.A. 92-460, eff. 1-1-02; 93-616, eff. 1-1-04.)

18          Section 99. Effective date. This Act takes effect January  
19 1, 2005."