

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 3-7-2a as follows:

6 (730 ILCS 5/3-7-2a) (from Ch. 38, par. 1003-7-2a)

7 Sec. 3-7-2a. If a facility maintains a commissary or
8 commissaries servicing inmates, the selling prices for all goods
9 shall be sufficient to cover the costs of the goods and an
10 additional charge of up to 35% for tobacco products and up to
11 25% for non-tobacco products. The amount of the additional
12 charges for goods sold at commissaries servicing inmates shall be
13 based upon the amount necessary to pay for the wages and
14 benefits of commissary employees who are employed in any
15 commissary facilities of the Department. The Department shall
16 determine the additional charges upon any changes in wages and
17 benefits of commissary employees as negotiated in the
18 collective bargaining agreement. If a facility maintains a
19 commissary or commissaries servicing employees, the selling
20 price for all goods shall be sufficient to cover the costs of
21 the goods and an additional charge of up to 10%. A compliance
22 audit of all commissaries and the distribution of commissary
23 funds shall be included in the regular compliance audit of the
24 Department conducted by the Auditor General in accordance with
25 the Illinois State Auditing Act.

26 Items purchased for sale at any such commissary shall be
27 purchased, wherever possible, at wholesale costs. If a facility
28 maintains a commissary or commissaries as of the effective date
29 of this amendatory Act of the 93rd General Assembly, the
30 Department may not contract with a private contractor or vendor
31 to operate, manage, or perform any portion of the commissary
32 services. The Department may not enter into any such contract

1 for commissary services at a facility that opens subsequent to
2 the effective date of this amendatory Act of the 93rd General
3 Assembly.

4 (Source: P.A. 93-607, eff. 1-1-04.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.