



Sen. Mattie Hunter

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09500HB1293sam001

LRB095 09598 RLC 35342 a

1 AMENDMENT TO HOUSE BILL 1293

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1293 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

1 dangerous weapon;

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

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

7 (5) attend or reside in a facility established for the  
8 instruction or residence of persons on parole or mandatory  
9 supervised release;

10 (6) secure permission before visiting or writing a  
11 committed person in an Illinois Department of Corrections  
12 facility;

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

17 (7.5) if convicted of a sex offense as defined in the  
18 Sex Offender Management Board Act, the individual shall  
19 undergo and successfully complete sex offender treatment  
20 conducted in conformance with the standards developed by  
21 the Sex Offender Management Board Act by a treatment  
22 provider approved by the Board;

23 (7.6) if convicted of a sex offense as defined in the  
24 Sex Offender Management Board Act, refrain from residing at  
25 the same address or in the same condominium unit or  
26 apartment unit or in the same condominium complex or

1 apartment complex with another person he or she knows or  
2 reasonably should know is a convicted sex offender or has  
3 been placed on supervision for a sex offense; the  
4 provisions of this paragraph do not apply to a person  
5 convicted of a sex offense who is placed in a Department of  
6 Corrections licensed transitional housing facility for sex  
7 offenders, or is in any facility operated or licensed by  
8 the Department of Children and Family Services or by the  
9 Department of Human Services, or is in any licensed medical  
10 facility;

11 (7.7) if convicted for an offense that would qualify  
12 the accused as a sexual predator under the Sex Offender  
13 Registration Act on or after the effective date of this  
14 amendatory Act of the 94th General Assembly, wear an  
15 approved electronic monitoring device as defined in  
16 Section 5-8A-2 for the duration of the person's parole,  
17 mandatory supervised release term, or extended mandatory  
18 supervised release term, provided funding is appropriated  
19 by the General Assembly;

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

22 (9) obtain permission of an agent of the Department of  
23 Corrections before changing his or her residence or  
24 employment;

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

1           (11) refrain from the use or possession of narcotics or  
2 other controlled substances in any form, or both, or any  
3 paraphernalia related to those substances and submit to a  
4 urinalysis test as instructed by a parole agent of the  
5 Department of Corrections;

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

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

14           (14) provide true and accurate information, as it  
15 relates to his or her adjustment in the community while on  
16 parole or mandatory supervised release or to his or her  
17 conduct while incarcerated, in response to inquiries by his  
18 or her parole agent or of the Department of Corrections;

19           (15) follow any specific instructions provided by the  
20 parole agent that are consistent with furthering  
21 conditions set and approved by the Prisoner Review Board or  
22 by law, exclusive of placement on electronic detention, to  
23 achieve the goals and objectives of his or her parole or  
24 mandatory supervised release or to protect the public.  
25 These instructions by the parole agent may be modified at  
26 any time, as the agent deems appropriate; and

1           (16) if convicted of a sex offense as defined in  
2 subsection (a-5) of Section 3-1-2 of this Code, unless the  
3 offender is a parent or guardian of the person under 18  
4 years of age present in the home and no non-familial minors  
5 are present, not participate in a holiday event involving  
6 children under 18 years of age, such as distributing candy  
7 or other items to children on Halloween, wearing a Santa  
8 Claus costume on or preceding Christmas, being employed as  
9 a department store Santa Claus, or wearing an Easter Bunny  
10 costume on or preceding Easter.

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

13           (1) work or pursue a course of study or vocational  
14 training;

15           (2) undergo medical or psychiatric treatment, or  
16 treatment for drug addiction or alcoholism;

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

19           (4) support his dependents;

20           (5) (blank);

21           (6) (blank);

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

- 1           (8) in addition, if a minor:
- 2                 (i) reside with his parents or in a foster home;
- 3                 (ii) attend school;
- 4                 (iii) attend a non-residential program for youth;
- 5           or
- 6                 (iv) contribute to his own support at home or in a
- 7           foster home.

8           (b-1) In addition to the conditions set forth in

9           subsections (a) and (b), persons required to register as sex

10           offenders pursuant to the Sex Offender Registration Act, upon

11           release from the custody of the Illinois Department of

12           Corrections, may be required by the Board to comply with the

13           following specific conditions of release:

- 14                 (1) reside only at a Department approved location;
- 15                 (2) comply with all requirements of the Sex Offender
- 16           Registration Act;
- 17                 (3) notify third parties of the risks that may be
- 18           occasioned by his or her criminal record;
- 19                 (4) obtain the approval of an agent of the Department
- 20           of Corrections prior to accepting employment or pursuing a
- 21           course of study or vocational training and notify the
- 22           Department prior to any change in employment, study, or
- 23           training;
- 24                 (5) not be employed or participate in any volunteer
- 25           activity that involves contact with children, except under
- 26           circumstances approved in advance and in writing by an

1 agent of the Department of Corrections;

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

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

9 (8) refrain from having any contact, including written  
10 or oral communications, directly or indirectly, personally  
11 or by telephone, letter, or through a third party with  
12 certain specified persons including, but not limited to,  
13 the victim or the victim's family without the prior written  
14 approval of an agent of the Department of Corrections;

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

19 (10) neither possess or have under his or her control  
20 any material that is sexually oriented, sexually  
21 stimulating, or that shows male or female sex organs or any  
22 pictures depicting children under 18 years of age nude or  
23 any written or audio material describing sexual  
24 intercourse or that depicts or alludes to sexual activity,  
25 including but not limited to visual, auditory, telephonic,  
26 or electronic media, or any matter obtained through access

1 to any computer or material linked to computer access use;

2 (11) not patronize any business providing sexually  
3 stimulating or sexually oriented entertainment nor utilize  
4 "900" or adult telephone numbers;

5 (12) not reside near, visit, or be in or about parks,  
6 schools, day care centers, swimming pools, beaches,  
7 theaters, or any other places where minor children  
8 congregate without advance approval of an agent of the  
9 Department of Corrections and immediately report any  
10 incidental contact with minor children to the Department;

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

15 (14) may be required to provide a written daily log of  
16 activities if directed by an agent of the Department of  
17 Corrections;

18 (15) comply with all other special conditions that the  
19 Department may impose that restrict the person from  
20 high-risk situations and limit access to potential  
21 victims.

22 (c) The conditions under which the parole or mandatory  
23 supervised release is to be served shall be communicated to the  
24 person in writing prior to his release, and he shall sign the  
25 same before release. A signed copy of these conditions,  
26 including a copy of an order of protection where one had been



1 issued by the criminal court, shall be retained by the person  
2 and another copy forwarded to the officer in charge of his  
3 supervision.

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

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

11 (f) When the subject is in compliance with all conditions  
12 of his or her parole or mandatory supervised release, the  
13 subject shall receive a reduction of the period of his or her  
14 parole or mandatory supervised release of 90 days upon passage  
15 of the high school level Test of General Educational  
16 Development during the period of his or her parole or mandatory  
17 supervised release. This reduction in the period of a subject's  
18 term of parole or mandatory supervised release shall be  
19 available only to subjects who have not previously earned a  
20 high school diploma or who have not previously passed the high  
21 school level Test of General Educational Development.

22 (Source: P.A. 93-616, eff. 1-1-04; 93-865, eff. 1-1-05; 94-159,  
23 eff. 7-11-05; 94-161, eff. 7-11-05; 94-988, eff. 1-1-07.)".