

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 3-3-7 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

1 instruction or residence of persons on parole or mandatory
2 supervised release;

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

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

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

16 (7.6) if convicted of a sex offense as defined in the
17 Sex Offender Management Board Act, refrain from residing at
18 the same address or in the same condominium unit or
19 apartment unit or in the same condominium complex or
20 apartment complex with another person he or she knows or
21 reasonably should know is a convicted sex offender or has
22 been placed on supervision for a sex offense; the
23 provisions of this paragraph do not apply to a person
24 convicted of a sex offense who is placed in a Department of
25 Corrections licensed transitional housing facility for sex
26 offenders, or is in any facility operated or licensed by

1 the Department of Children and Family Services or by the
2 Department of Human Services, or is in any licensed medical
3 facility;

4 (7.7) if convicted for an offense that would qualify
5 the accused as a sexual predator under the Sex Offender
6 Registration Act on or after the effective date of this
7 amendatory Act of the 94th General Assembly, wear an
8 approved electronic monitoring device as defined in
9 Section 5-8A-2 for the duration of the person's parole,
10 mandatory supervised release term, or extended mandatory
11 supervised release term, provided funding is appropriated
12 by the General Assembly;

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

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

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

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

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

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

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

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

20 (16) if convicted of a sex offense as defined in
21 subsection (a-5) of Section 3-1-2 of this Code, unless the
22 offender is a parent or guardian of the person under 18
23 years of age present in the home and no non-familial minors
24 are present, not participate in a holiday event involving
25 children under 18 years of age, such as distributing candy
26 or other items to children on Halloween, wearing a Santa

1 Claus costume on or preceding Christmas, being employed as
2 a department store Santa Claus, or wearing an Easter Bunny
3 costume on or preceding Easter.

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

6 (1) work or pursue a course of study or vocational
7 training;

8 (2) undergo medical or psychiatric treatment, or
9 treatment for drug addiction or alcoholism;

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

12 (4) support his dependents;

13 (5) (blank);

14 (6) (blank);

15 (7) comply with the terms and conditions of an order of
16 protection issued pursuant to the Illinois Domestic
17 Violence Act of 1986, enacted by the 84th General Assembly,
18 or an order of protection issued by the court of another
19 state, tribe, or United States territory; and

20 (8) in addition, if a minor:

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

22 (ii) attend school;

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

24 or

25 (iv) contribute to his own support at home or in a
26 foster home.

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

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

8 (2) comply with all requirements of the Sex Offender
9 Registration Act;

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

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

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

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

23 (7) refrain from entering into a designated geographic
24 area except upon terms approved in advance by an agent of
25 the Department of Corrections. The terms may include
26 consideration of the purpose of the entry, the time of day,

1 and others accompanying the person;

2 (8) refrain from having any contact, including written
3 or oral communications, directly or indirectly, personally
4 or by telephone, letter, or through a third party with
5 certain specified persons including, but not limited to,
6 the victim or the victim's family without the prior written
7 approval of an agent of the Department of Corrections;

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

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

21 (11) not patronize any business providing sexually
22 stimulating or sexually oriented entertainment nor utilize
23 "900" or adult telephone numbers;

24 (12) not reside near, visit, or be in or about parks,
25 schools, day care centers, swimming pools, beaches,
26 theaters, or any other places where minor children

1 congregate without advance approval of an agent of the
2 Department of Corrections and immediately report any
3 incidental contact with minor children to the Department;

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

8 (14) may be required to provide a written daily log of
9 activities if directed by an agent of the Department of
10 Corrections;

11 (15) comply with all other special conditions that the
12 Department may impose that restrict the person from
13 high-risk situations and limit access to potential
14 victims.

15 (c) The conditions under which the parole or mandatory
16 supervised release is to be served shall be communicated to the
17 person in writing prior to his release, and he shall sign the
18 same before release. A signed copy of these conditions,
19 including a copy of an order of protection where one had been
20 issued by the criminal court, shall be retained by the person
21 and another copy forwarded to the officer in charge of his
22 supervision.

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

26 (e) The Department shall inform all offenders committed to

1 the Department of the optional services available to them upon
2 release and shall assist inmates in availing themselves of such
3 optional services upon their release on a voluntary basis.

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

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