



Rep. Jerry F. Costello, II

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09700HB4402ham001

LRB097 15394 RLC 66111 a

1 AMENDMENT TO HOUSE BILL 4402

2 AMENDMENT NO. _____. Amend House Bill 4402 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 3-7-2 as follows:

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

7 Sec. 3-7-2. Facilities.

8 (a) All institutions and facilities of the Department shall
9 provide every committed person with access to toilet
10 facilities, barber facilities, bathing facilities at least
11 once each week, a library of legal materials and published
12 materials including newspapers and magazines approved by the
13 Director. A committed person may not receive any materials that
14 the Director deems pornographic.

15 (b) (Blank).

16 (c) All institutions and facilities of the Department shall

1 provide facilities for every committed person to leave his cell
2 for at least one hour each day unless the chief administrative
3 officer determines that it would be harmful or dangerous to the
4 security or safety of the institution or facility.

5 (d) All institutions and facilities of the Department shall
6 provide every committed person with a wholesome and nutritional
7 diet at regularly scheduled hours, drinking water, clothing
8 adequate for the season, bedding, soap and towels and medical
9 and dental care. The Department shall provide committed persons
10 with powdered milk during meals if the cost of the powdered
11 milk is less than liquid milk. The breakfast and lunch meals
12 provided to committed persons on Saturday and Sunday shall be
13 consolidated into a brunch meal for each of those days.

14 (e) All institutions and facilities of the Department shall
15 permit every committed person to send and receive an unlimited
16 number of uncensored letters, provided, however, that the
17 Director may order that mail be inspected and read for reasons
18 of the security, safety or morale of the institution or
19 facility.

20 (f) All of the institutions and facilities of the
21 Department shall permit every committed person to receive
22 visitors, except in case of abuse of the visiting privilege or
23 when the chief administrative officer determines that such
24 visiting would be harmful or dangerous to the security, safety
25 or morale of the institution or facility. The chief
26 administrative officer shall have the right to restrict

1 visitation to non-contact visits for reasons of safety,
2 security, and order, including, but not limited to, restricting
3 contact visits for committed persons engaged in gang activity.
4 No committed person in a super maximum security facility or on
5 disciplinary segregation is allowed contact visits. Any
6 committed person found in possession of illegal drugs or who
7 fails a drug test shall not be permitted contact visits for a
8 period of at least 6 months. Any committed person involved in
9 gang activities or found guilty of assault committed against a
10 Department employee shall not be permitted contact visits for a
11 period of at least 6 months. The Department shall offer every
12 visitor appropriate written information concerning HIV and
13 AIDS, including information concerning how to contact the
14 Illinois Department of Public Health for counseling
15 information. The Department shall develop the written
16 materials in consultation with the Department of Public Health.
17 The Department shall ensure that all such information and
18 materials are culturally sensitive and reflect cultural
19 diversity as appropriate. Implementation of the changes made to
20 this Section by this amendatory Act of the 94th General
21 Assembly is subject to appropriation.

22 (f-5) The Department shall establish a pilot program in one
23 or more institutions or facilities of the Department to permit
24 committed persons to remotely visit family members through
25 interactive video conferences. The Department may enter into
26 agreements with third-party organizations to provide video

1 conference facilities for family members of committed persons.
2 The Department may determine who is a family member eligible to
3 participate in the program and the conditions in which and
4 times when the video conferences may be conducted. The
5 Department may conduct such conferences as an alternative to
6 transporting committed persons to facilities and institutions
7 of the Department near the residences of family members of the
8 committed persons.

9 Beginning on October 1, 2010 and through October 1, 2012,
10 the Department shall issue an annual report to the General
11 Assembly regarding the implementation and effectiveness of the
12 pilot program created by this subsection (f-5).

13 (g) All institutions and facilities of the Department shall
14 permit religious ministrations and sacraments to be available
15 to every committed person, but attendance at religious services
16 shall not be required.

17 (h) Within 90 days after December 31, 1996, the Department
18 shall prohibit the use of curtains, cell-coverings, or any
19 other matter or object that obstructs or otherwise impairs the
20 line of vision into a committed person's cell.

21 (Source: P.A. 96-869, eff. 1-21-10.)".