

# HB3258



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB3258

by Rep. Bill Mitchell

#### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-7-2

from Ch. 38, par. 1003-7-2

Amends the Unified Code of Corrections. Provides that within 30 days after the effective date of the amendatory Act, cable television may not be installed in any institution or facility of the Department of Corrections and any cable television installed in any institution or facility of the Department shall be removed from that institution or facility within 30 days after the effective date of the amendatory Act.

LRB098 08646 RLC 38766 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 3-7-2 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  
17 provide facilities for every committed person to leave his cell  
18 for at least one hour each day unless the chief administrative  
19 officer determines that it would be harmful or dangerous to the  
20 security or safety of the institution or facility.

21 (d) All institutions and facilities of the Department shall  
22 provide every committed person with a wholesome and nutritional  
23 diet at regularly scheduled hours, drinking water, clothing

1 adequate for the season, bedding, soap and towels and medical  
2 and dental care.

3 (e) All institutions and facilities of the Department shall  
4 permit every committed person to send and receive an unlimited  
5 number of uncensored letters, provided, however, that the  
6 Director may order that mail be inspected and read for reasons  
7 of the security, safety or morale of the institution or  
8 facility.

9 (f) All of the institutions and facilities of the  
10 Department shall permit every committed person to receive  
11 visitors, except in case of abuse of the visiting privilege or  
12 when the chief administrative officer determines that such  
13 visiting would be harmful or dangerous to the security, safety  
14 or morale of the institution or facility. The chief  
15 administrative officer shall have the right to restrict  
16 visitation to non-contact visits for reasons of safety,  
17 security, and order, including, but not limited to, restricting  
18 contact visits for committed persons engaged in gang activity.  
19 No committed person in a super maximum security facility or on  
20 disciplinary segregation is allowed contact visits. Any  
21 committed person found in possession of illegal drugs or who  
22 fails a drug test shall not be permitted contact visits for a  
23 period of at least 6 months. Any committed person involved in  
24 gang activities or found guilty of assault committed against a  
25 Department employee shall not be permitted contact visits for a  
26 period of at least 6 months. The Department shall offer every

1 visitor appropriate written information concerning HIV and  
2 AIDS, including information concerning how to contact the  
3 Illinois Department of Public Health for counseling  
4 information. The Department shall develop the written  
5 materials in consultation with the Department of Public Health.  
6 The Department shall ensure that all such information and  
7 materials are culturally sensitive and reflect cultural  
8 diversity as appropriate. Implementation of the changes made to  
9 this Section by this amendatory Act of the 94th General  
10 Assembly is subject to appropriation.

11 (f-5) The Department shall establish a pilot program in one  
12 or more institutions or facilities of the Department to permit  
13 committed persons to remotely visit family members through  
14 interactive video conferences. The Department may enter into  
15 agreements with third-party organizations to provide video  
16 conference facilities for family members of committed persons.  
17 The Department may determine who is a family member eligible to  
18 participate in the program and the conditions in which and  
19 times when the video conferences may be conducted. The  
20 Department may conduct such conferences as an alternative to  
21 transporting committed persons to facilities and institutions  
22 of the Department near the residences of family members of the  
23 committed persons.

24 Beginning on October 1, 2010 and through October 1, 2012,  
25 the Department shall issue an annual report to the General  
26 Assembly regarding the implementation and effectiveness of the

1 pilot program created by this subsection (f-5).

2 (g) All institutions and facilities of the Department shall  
3 permit religious ministrations and sacraments to be available  
4 to every committed person, but attendance at religious services  
5 shall not be required.

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

10 (i) Within 30 days after the effective date of this  
11 amendatory Act of the 98th General Assembly, cable television  
12 may not be installed in any institution or facility of the  
13 Department and any cable television installed in any  
14 institution or facility of the Department shall be removed from  
15 that institution or facility within 30 days after the effective  
16 date of this amendatory Act of the 98th General Assembly. For  
17 the purposes of this subsection (i), "cable television"  
18 includes satellite television.

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