

HB3712



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3712

by Rep. Edward J. Acevedo

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-3-1

from Ch. 38, par. 1003-3-1

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the establishment and appointment of the Prisoner Review Board.

LRB099 09172 RLC 29370 b

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 3-3-1 as follows:

6 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

7 Sec. 3-3-1. Establishment and Appointment of Prisoner
8 Review Board.

9 (a) There shall be a Prisoner Review Board independent of
10 the ~~the~~ Department of Corrections which shall be:

11 (1) the paroling authority for persons sentenced under
12 the law in effect prior to the effective date of this
13 amendatory Act of 1977;

14 (1.5) the authority for hearing and deciding the time
15 of aftercare release for persons adjudicated delinquent
16 under the Juvenile Court Act of 1987;

17 (2) the board of review for cases involving the
18 revocation of sentence credits or a suspension or reduction
19 in the rate of accumulating the credit;

20 (3) the board of review and recommendation for the
21 exercise of executive clemency by the Governor;

22 (4) the authority for establishing release dates for
23 certain prisoners sentenced under the law in existence

1 prior to the effective date of this amendatory Act of 1977,
2 in accordance with Section 3-3-2.1 of this Code;

3 (5) the authority for setting conditions for parole,
4 mandatory supervised release under Section 5-8-1(a) of
5 this Code, and aftercare release, and determining whether a
6 violation of those conditions warrant revocation of
7 parole, aftercare release, or mandatory supervised release
8 or the imposition of other sanctions.

9 (b) The Board shall consist of 15 persons appointed by the
10 Governor by and with the advice and consent of the Senate. One
11 member of the Board shall be designated by the Governor to be
12 Chairman and shall serve as Chairman at the pleasure of the
13 Governor. The members of the Board shall have had at least 5
14 years of actual experience in the fields of penology,
15 corrections work, law enforcement, sociology, law, education,
16 social work, medicine, psychology, other behavioral sciences,
17 or a combination thereof. At least 6 members so appointed must
18 have had at least 3 years experience in the field of juvenile
19 matters. No more than 8 Board members may be members of the
20 same political party.

21 Each member of the Board shall serve on a full-time basis
22 and shall not hold any other salaried public office, whether
23 elective or appointive, nor any other office or position of
24 profit, nor engage in any other business, employment, or
25 vocation. The Chairman of the Board shall receive \$35,000 a
26 year, or an amount set by the Compensation Review Board,

1 whichever is greater, and each other member \$30,000, or an
2 amount set by the Compensation Review Board, whichever is
3 greater.

4 (c) Notwithstanding any other provision of this Section,
5 the term of each member of the Board who was appointed by the
6 Governor and is in office on June 30, 2003 shall terminate at
7 the close of business on that date or when all of the successor
8 members to be appointed pursuant to this amendatory Act of the
9 93rd General Assembly have been appointed by the Governor,
10 whichever occurs later. As soon as possible, the Governor shall
11 appoint persons to fill the vacancies created by this
12 amendatory Act.

13 Of the initial members appointed under this amendatory Act
14 of the 93rd General Assembly, the Governor shall appoint 5
15 members whose terms shall expire on the third Monday in January
16 2005, 5 members whose terms shall expire on the third Monday in
17 January 2007, and 5 members whose terms shall expire on the
18 third Monday in January 2009. Their respective successors shall
19 be appointed for terms of 6 years from the third Monday in
20 January of the year of appointment. Each member shall serve
21 until his or her successor is appointed and qualified.

22 Any member may be removed by the Governor for incompetence,
23 neglect of duty, malfeasance or inability to serve.

24 (d) The Chairman of the Board shall be its chief executive
25 and administrative officer. The Board may have an Executive
26 Director; if so, the Executive Director shall be appointed by

1 the Governor with the advice and consent of the Senate. The
2 salary and duties of the Executive Director shall be fixed by
3 the Board.

4 (Source: P.A. 97-697, eff. 6-22-12; 98-558, eff. 1-1-14.)