

AN ACT concerning criminal law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Unified Code of Corrections is amended by changing Section 3-7-2 as follows:

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

Sec. 3-7-2. Facilities.

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

(b) (Blank).

(c) All institutions and facilities of the Department shall provide facilities for every committed person to leave his cell for at least one hour each day unless the chief administrative officer determines that it would be harmful or dangerous to the security or safety of the institution or facility.

(d) All institutions and facilities of the Department shall provide every committed person with a wholesome and

nutritional diet at regularly scheduled hours, drinking water, clothing adequate for the season, including underwear, bedding, soap and towels and medical and dental care. Underwear provided to each committed person in all institutions and facilities of the Department shall be free of charge and shall be provided at any time upon request, including multiple requests, of the committed person or as needed by the committed person.

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

(f) All of the institutions and facilities of the Department shall permit every committed person to receive in-person visitors and video contact, if available, except in case of abuse of the visiting privilege or when the chief administrative officer determines that such visiting would be harmful or dangerous to the security, safety or morale of the institution or facility. Each committed person is entitled to 7 visits per month. Every committed person may submit a list of at least 30 persons to the Department that are authorized to visit the committed person. The list shall be kept in an electronic format by the Department beginning on August 1, 2019, as well as available in paper form for Department

employees. The chief administrative officer shall have the right to restrict visitation to non-contact visits, video, or other forms of non-contact visits for reasons of safety, security, and order, including, but not limited to, restricting contact visits for committed persons engaged in gang activity. No committed person in a super maximum security facility or on disciplinary segregation is allowed contact visits. Any committed person found in possession of illegal drugs or who fails a drug test shall not be permitted contact visits for a period of at least 6 months. Any committed person involved in gang activities or found guilty of assault committed against a Department employee shall not be permitted contact visits for a period of at least 6 months. The Department shall offer every visitor appropriate written information concerning HIV and AIDS, including information concerning how to contact the Illinois Department of Public Health for counseling information. The Department shall develop the written materials in consultation with the Department of Public Health. The Department shall ensure that all such information and materials are culturally sensitive and reflect cultural diversity as appropriate. Implementation of the changes made to this Section by Public Act 94-629 is subject to appropriation. The Department shall seek the lowest possible cost to provide video calling and shall charge to the extent of recovering any demonstrated costs of providing video calling. The Department shall not make a commission or profit

from video calling services. Nothing in this Section shall be construed to permit video calling instead of in-person visitation.

(f-5) (Blank).

(f-10) The Department may not restrict or limit in-person visits to committed persons due to the availability of interactive video conferences.

(f-15) (1) The Department shall issue a standard written policy for each institution and facility of the Department that provides for:

(A) the number of in-person visits each committed person is entitled to per week and per month including the requirements of subsection (f) of this Section;

(B) the hours of in-person visits;

(C) the type of identification required for visitors at least 18 years of age; and

(D) the type of identification, if any, required for visitors under 18 years of age.

(2) This policy shall be posted on the Department website and at each facility.

(3) The Department shall post on its website daily any restrictions or denials of visitation for that day and the succeeding 5 calendar days, including those based on a lockdown of the facility, to inform family members and other visitors.

(g) All institutions and facilities of the Department

shall permit religious ministrations and sacraments to be available to every committed person, but attendance at religious services shall not be required.

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

(i) Menstrual hygiene products shall be available, as needed, free of charge, at all institutions and facilities of the Department for all committed persons who menstruate. In this subsection (i), "menstrual hygiene products" means tampons and sanitary napkins for use in connection with the menstrual cycle.

(Source: P.A. 99-933, eff. 1-27-17; 100-30, eff. 1-1-18; 100-142, eff. 1-1-18; 100-677, eff. 1-1-19; 100-863, eff. 8-14-18.)