

1 AN ACT in relation to 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
5 by changing Section 3-3-7 and adding Section 3-14-2.1 as
6 follows:

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

8 Sec. 3-3-7. Conditions of Parole or Mandatory Supervised
9 Release.

10 (a) The conditions of parole or mandatory supervised
11 release shall be such as the Prisoner Review Board deems
12 necessary to assist the subject in leading a law-abiding
13 life. The conditions of every parole and mandatory supervised
14 release are that the subject:

15 (1) not violate any criminal statute of any
16 jurisdiction during the parole or release term;

17 (2) refrain from possessing a firearm or other
18 dangerous weapon;

19 (3) report to an agent of the Department of
20 Corrections;

21 (4) permit the agent to visit him or her at his or
22 her home, employment, or elsewhere to the extent
23 necessary for the agent to discharge his or her duties;

24 (5) attend or reside in a facility established for
25 the instruction or residence of persons on parole or
26 mandatory supervised release;

27 (6) secure permission before visiting or writing a
28 committed person in an Illinois Department of Corrections
29 facility;

30 (7) report all arrests to an agent of the
31 Department of Corrections as soon as permitted by the

1 arresting authority but in no event later than 24 hours
2 after release from custody;

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

5 (9) obtain permission of an agent of the Department
6 of Corrections before changing his or her residence or
7 employment;

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

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

15 (12) not frequent places where controlled
16 substances are illegally sold, used, distributed, or
17 administered;

18 (13) not knowingly associate with other persons on
19 parole or mandatory supervised release without prior
20 written permission of his or her parole agent and not
21 associate with persons who are members of an organized
22 gang as that term is defined in the Illinois Streetgang
23 Terrorism Omnibus Prevention Act;

24 (14) provide true and accurate information, as it
25 relates to his or her adjustment in the community while
26 on parole or mandatory supervised release or to his or
27 her conduct while incarcerated, in response to inquiries
28 by his or her parole agent or of the Department of
29 Corrections; and

30 (15) follow any specific instructions provided by
31 the parole agent that are consistent with furthering
32 conditions set and approved by the Prisoner Review Board
33 or by law, exclusive of placement on electronic
34 detention, to achieve the goals and objectives of his or

1 her parole or mandatory supervised release or to protect
2 the public. These instructions by the parole agent may be
3 modified at any time, as the agent deems appropriate.

4 (a-5) In the case of a violent offender or a sex
5 offender as defined in Section 3-14-2.1 of this Code, failure
6 to have the required in-person contacts shall result in an
7 immediate revocation of parole or mandatory supervised
8 release and loss of earned good time unless it is shown that
9 the failure to have the required visits was not due to the
10 actions of the parolee or releasee. The condition imposed by
11 this subsection (a-5) is in addition to any other conditions
12 imposed by law or by the Board.

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

15 (1) work or pursue a course of study or vocational
16 training;

17 (2) undergo medical or psychiatric treatment, or
18 treatment for drug addiction or alcoholism;

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

22 (4) support his dependents;

23 (5) (blank);

24 (6) (blank);

25 (7) comply with the terms and conditions of an
26 order of protection issued pursuant to the Illinois
27 Domestic Violence Act of 1986, enacted by the 84th
28 General Assembly, or an order of protection issued by the
29 court of another state, tribe, or United States
30 territory; and

31 (8) in addition, if a minor:

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

34 (ii) attend school;

1 (iii) attend a non-residential program for
2 youth; or

3 (iv) contribute to his own support at home or
4 in a foster home.

5 (c) The conditions under which the parole or mandatory
6 supervised release is to be served shall be communicated to
7 the person in writing prior to his release, and he shall sign
8 the same before release. A signed copy of these conditions,
9 including a copy of an order of protection where one had been
10 issued by the criminal court, shall be retained by the person
11 and another copy forwarded to the officer in charge of his
12 supervision.

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

16 (e) The Department shall inform all offenders committed
17 to the Department of the optional services available to them
18 upon release and shall assist inmates in availing themselves
19 of such optional services upon their release on a voluntary
20 basis.

21 (Source: P.A. 91-903, eff. 1-1-01; 92-460, eff. 1-1-02.)

22 (730 ILCS 5/3-14-2.1 new)

23 Sec. 3-14-2.1. Supervision on parole, mandatory
24 supervised release and release for violent offenders and sex
25 offenders.

26 (a) The Department shall retain custody of all persons
27 who are violent offenders and sex offenders as defined by
28 this Section and who are placed on parole or mandatory
29 supervised release or released under Section 3-3-10 of this
30 Code and shall supervise those persons during their parole or
31 release period in accordance with conditions set by the
32 Prisoner Review Board. The conditions shall include those set
33 forth under Section 3-14-2 of this Code and supervision

1 requirements of no less than one in-person contact per week
2 by a parole officer with the assigned parolee or releasee,
3 including unannounced visits at the parolee or releasee's
4 home, place of employment, or educational institution.

5 In this Section:

6 "Violent offense" means a violation of any of the
7 following Sections of the Criminal Code of 1961: Section
8 8-1.1 (solicitation of murder), Section 8-1.2 (solicitation
9 of murder for hire), Section 9-1 (first degree murder if the
10 offense was committed on or after June 30, 2001), Section
11 10-1 (kidnapping), Section 10-2 (aggravated kidnapping),
12 Section 10-3 (unlawful restraint), Section 10-3.1 (aggravated
13 unlawful restraint), Section 10-5 (child abduction), Section
14 12-7.4 (aggravated stalking), Section 12-30 (violation of an
15 order of protection), or Section 12-33 (ritualized abuse of a
16 child) or an attempt to commit any of these offenses.

17 "Sex offense" means a violation of any of the following
18 Sections of the Criminal Code of 1961: Section 11-6 (indecent
19 solicitation of a child), Section 11-9 (public indecency when
20 committed in a school or on a conveyance, owned, leased, or
21 contracted by a school to transport students to or from
22 school or a school related activity), Section 11-9.1 (sexual
23 exploitation of a child), Section 11-15.1 (soliciting for a
24 juvenile prostitute), Section 11-17.1 (keeping a place of
25 juvenile prostitution), Section 11-18.1 (patronizing a
26 juvenile prostitute), Section 11-19.1 (juvenile pimping),
27 Section 11-19.2 (exploitation of a child), Section 11-20.1
28 (child pornography), Section 11-21 (harmful material),
29 Section 12-13 (criminal sexual assault), Section 12-14
30 (aggravated criminal sexual assault), Section 12-14.1
31 (predatory criminal sexual assault of a child), Section 12-15
32 (criminal sexual abuse), or Section 12-16 (aggravated
33 criminal sexual abuse) or an attempt to commit any of these
34 offenses.

1 (b) A caseload for parole officers or supervisors who
2 are assigned offenders who are released as a result of a
3 violent offense against a person or a sex offense as defined
4 in this Section must accommodate no less than one weekly
5 in-person unannounced visit with the assigned parolee or
6 releasee. The unannounced visits shall include visits to the
7 parolee's or releasee's home, place of employment, or
8 educational institution.

9 Section 99. Effective date. This Act takes effect on
10 July 1, 2004.