



Rep. Arthur Turner

Filed: 4/23/2018

10000HB4077ham001

LRB100 13021 RLC 39228 a

1 AMENDMENT TO HOUSE BILL 4077

2 AMENDMENT NO. _____. Amend House Bill 4077 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 5-6-3 as follows:

6 (730 ILCS 5/5-6-3) (from Ch. 38, par. 1005-6-3)

7 Sec. 5-6-3. Conditions of probation and of conditional
8 discharge.

9 (a) The conditions of probation and of conditional
10 discharge shall be that the person:

11 (1) not violate any criminal statute of any
12 jurisdiction;

13 (2) report to or appear in person before such person or
14 agency as directed by the court;

15 (3) refrain from possessing a firearm or other
16 dangerous weapon where the offense is a felony or, if a

1 misdemeanor, the offense involved the intentional or
2 knowing infliction of bodily harm or threat of bodily harm;

3 (4) not leave the State without the consent of the
4 court or, in circumstances in which the reason for the
5 absence is of such an emergency nature that prior consent
6 by the court is not possible, without the prior
7 notification and approval of the person's probation
8 officer. Transfer of a person's probation or conditional
9 discharge supervision to another state is subject to
10 acceptance by the other state pursuant to the Interstate
11 Compact for Adult Offender Supervision;

12 (5) permit the probation officer to visit him at his
13 home or elsewhere to the extent necessary to discharge his
14 duties;

15 (6) perform no less than 30 hours of community service
16 and not more than 120 hours of community service, if
17 community service is available in the jurisdiction and is
18 funded and approved by the county board where the offense
19 was committed, where the offense was related to or in
20 furtherance of the criminal activities of an organized gang
21 and was motivated by the offender's membership in or
22 allegiance to an organized gang. The community service
23 shall include, but not be limited to, the cleanup and
24 repair of any damage caused by a violation of Section
25 21-1.3 of the Criminal Code of 1961 or the Criminal Code of
26 2012 and similar damage to property located within the

1 municipality or county in which the violation occurred.
2 When possible and reasonable, the community service should
3 be performed in the offender's neighborhood. For purposes
4 of this Section, "organized gang" has the meaning ascribed
5 to it in Section 10 of the Illinois Streetgang Terrorism
6 Omnibus Prevention Act. The court may give credit toward
7 the fulfillment of community service hours for
8 participation in activities and treatment as determined by
9 court services;

10 (7) if he or she is at least 17 years of age and has
11 been sentenced to probation or conditional discharge for a
12 misdemeanor or felony in a county of 3,000,000 or more
13 inhabitants and has not been previously convicted of a
14 misdemeanor or felony, may be required by the sentencing
15 court to attend educational courses designed to prepare the
16 defendant for a high school diploma and to work toward a
17 high school diploma or to work toward passing high school
18 equivalency testing or to work toward completing a
19 vocational training program approved by the court. The
20 person on probation or conditional discharge must attend a
21 public institution of education to obtain the educational
22 or vocational training required by this paragraph (7). The
23 court shall revoke the probation or conditional discharge
24 of a person who wilfully fails to comply with this
25 paragraph (7). The person on probation or conditional
26 discharge shall be required to pay for the cost of the

1 educational courses or high school equivalency testing if a
2 fee is charged for those courses or testing. The court
3 shall resentence the offender whose probation or
4 conditional discharge has been revoked as provided in
5 Section 5-6-4. This paragraph (7) does not apply to a
6 person who has a high school diploma or has successfully
7 passed high school equivalency testing. This paragraph (7)
8 does not apply to a person who is determined by the court
9 to be a person with a developmental disability or otherwise
10 mentally incapable of completing the educational or
11 vocational program;

12 (8) if convicted of possession of a substance
13 prohibited by the Cannabis Control Act, the Illinois
14 Controlled Substances Act, or the Methamphetamine Control
15 and Community Protection Act after a previous conviction or
16 disposition of supervision for possession of a substance
17 prohibited by the Cannabis Control Act or Illinois
18 Controlled Substances Act or after a sentence of probation
19 under Section 10 of the Cannabis Control Act, Section 410
20 of the Illinois Controlled Substances Act, or Section 70 of
21 the Methamphetamine Control and Community Protection Act
22 and upon a finding by the court that the person is
23 addicted, undergo treatment at a substance abuse program
24 approved by the court;

25 (8.5) if convicted of a felony sex offense as defined
26 in the Sex Offender Management Board Act, the person shall

1 undergo and successfully complete sex offender treatment
2 by a treatment provider approved by the Board and conducted
3 in conformance with the standards developed under the Sex
4 Offender Management Board Act;

5 (8.6) if convicted of a sex offense as defined in the
6 Sex Offender Management Board Act, refrain from residing at
7 the same address or in the same condominium unit or
8 apartment unit or in the same condominium complex or
9 apartment complex with another person he or she knows or
10 reasonably should know is a convicted sex offender or has
11 been placed on supervision for a sex offense; the
12 provisions of this paragraph do not apply to a person
13 convicted of a sex offense who is placed in a Department of
14 Corrections licensed transitional housing facility for sex
15 offenders;

16 (8.7) if convicted for an offense committed on or after
17 June 1, 2008 (the effective date of Public Act 95-464) that
18 would qualify the accused as a child sex offender as
19 defined in Section 11-9.3 or 11-9.4 of the Criminal Code of
20 1961 or the Criminal Code of 2012, refrain from
21 communicating with or contacting, by means of the Internet,
22 a person who is not related to the accused and whom the
23 accused reasonably believes to be under 18 years of age;
24 for purposes of this paragraph (8.7), "Internet" has the
25 meaning ascribed to it in Section 16-0.1 of the Criminal
26 Code of 2012; and a person is not related to the accused if

1 the person is not: (i) the spouse, brother, or sister of
2 the accused; (ii) a descendant of the accused; (iii) a
3 first or second cousin of the accused; or (iv) a step-child
4 or adopted child of the accused;

5 (8.8) if convicted for an offense under Section 11-6,
6 11-9.1, 11-14.4 that involves soliciting for a juvenile
7 prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21
8 of the Criminal Code of 1961 or the Criminal Code of 2012,
9 or any attempt to commit any of these offenses, committed
10 on or after June 1, 2009 (the effective date of Public Act
11 95-983):

12 (i) not access or use a computer or any other
13 device with Internet capability without the prior
14 written approval of the offender's probation officer,
15 except in connection with the offender's employment or
16 search for employment with the prior approval of the
17 offender's probation officer;

18 (ii) submit to periodic unannounced examinations
19 of the offender's computer or any other device with
20 Internet capability by the offender's probation
21 officer, a law enforcement officer, or assigned
22 computer or information technology specialist,
23 including the retrieval and copying of all data from
24 the computer or device and any internal or external
25 peripherals and removal of such information,
26 equipment, or device to conduct a more thorough

1 inspection;

2 (iii) submit to the installation on the offender's
3 computer or device with Internet capability, at the
4 offender's expense, of one or more hardware or software
5 systems to monitor the Internet use; and

6 (iv) submit to any other appropriate restrictions
7 concerning the offender's use of or access to a
8 computer or any other device with Internet capability
9 imposed by the offender's probation officer;

10 (8.9) if convicted of a sex offense as defined in the
11 Sex Offender Registration Act committed on or after January
12 1, 2010 (the effective date of Public Act 96-262), refrain
13 from accessing or using a social networking website as
14 defined in Section 17-0.5 of the Criminal Code of 2012;

15 (9) if convicted of a felony or of any misdemeanor
16 violation of Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or
17 12-3.5 of the Criminal Code of 1961 or the Criminal Code of
18 2012 that was determined, pursuant to Section 112A-11.1 of
19 the Code of Criminal Procedure of 1963, to trigger the
20 prohibitions of 18 U.S.C. 922(g)(9), physically surrender
21 at a time and place designated by the court, his or her
22 Firearm Owner's Identification Card and any and all
23 firearms in his or her possession. The Court shall return
24 to the Department of State Police Firearm Owner's
25 Identification Card Office the person's Firearm Owner's
26 Identification Card;

1 (10) if convicted of a sex offense as defined in
2 subsection (a-5) of Section 3-1-2 of this Code, unless the
3 offender is a parent or guardian of the person under 18
4 years of age present in the home and no non-familial minors
5 are present, not participate in a holiday event involving
6 children under 18 years of age, such as distributing candy
7 or other items to children on Halloween, wearing a Santa
8 Claus costume on or preceding Christmas, being employed as
9 a department store Santa Claus, or wearing an Easter Bunny
10 costume on or preceding Easter;

11 (11) if convicted of a sex offense as defined in
12 Section 2 of the Sex Offender Registration Act committed on
13 or after January 1, 2010 (the effective date of Public Act
14 96-362) that requires the person to register as a sex
15 offender under that Act, may not knowingly use any computer
16 scrub software on any computer that the sex offender uses;

17 (12) if convicted of a violation of the Methamphetamine
18 Control and Community Protection Act, the Methamphetamine
19 Precursor Control Act, or a methamphetamine related
20 offense:

21 (A) prohibited from purchasing, possessing, or
22 having under his or her control any product containing
23 pseudoephedrine unless prescribed by a physician; and

24 (B) prohibited from purchasing, possessing, or
25 having under his or her control any product containing
26 ammonium nitrate; and

1 (13) if convicted of a hate crime involving the
2 protected class identified in subsection (a) of Section
3 12-7.1 of the Criminal Code of 2012 that gave rise to the
4 offense the offender committed, perform public or
5 community service of no less than 200 hours and enroll in
6 an educational program discouraging hate crimes that
7 includes racial, ethnic, and cultural sensitivity training
8 ordered by the court.

9 (b) The Court may in addition to other reasonable
10 conditions relating to the nature of the offense or the
11 rehabilitation of the defendant as determined for each
12 defendant in the proper discretion of the Court require that
13 the person:

14 (1) serve a term of periodic imprisonment under Article
15 7 for a period not to exceed that specified in paragraph
16 (d) of Section 5-7-1;

17 (2) pay a fine and costs;

18 (3) work or pursue a course of study or vocational
19 training;

20 (4) undergo medical, psychological or psychiatric
21 treatment; or treatment for drug addiction or alcoholism;

22 (5) attend or reside in a facility established for the
23 instruction or residence of defendants on probation;

24 (6) support his dependents;

25 (7) and in addition, if a minor:

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

1 (ii) attend school;

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

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

5 (v) with the consent of the superintendent of the
6 facility, attend an educational program at a facility
7 other than the school in which the offense was
8 committed if he or she is convicted of a crime of
9 violence as defined in Section 2 of the Crime Victims
10 Compensation Act committed in a school, on the real
11 property comprising a school, or within 1,000 feet of
12 the real property comprising a school;

13 (8) make restitution as provided in Section 5-5-6 of
14 this Code;

15 (9) perform some reasonable public or community
16 service;

17 (10) serve a term of home confinement. In addition to
18 any other applicable condition of probation or conditional
19 discharge, the conditions of home confinement shall be that
20 the offender:

21 (i) remain within the interior premises of the
22 place designated for his confinement during the hours
23 designated by the court;

24 (ii) admit any person or agent designated by the
25 court into the offender's place of confinement at any
26 time for purposes of verifying the offender's

1 compliance with the conditions of his confinement; and

2 (iii) if further deemed necessary by the court or
3 the Probation or Court Services Department, be placed
4 on an approved electronic monitoring device, subject
5 to Article 8A of Chapter V;

6 (iv) for persons convicted of any alcohol,
7 cannabis or controlled substance violation who are
8 placed on an approved monitoring device as a condition
9 of probation or conditional discharge, the court shall
10 impose a reasonable fee for each day of the use of the
11 device, as established by the county board in
12 subsection (g) of this Section, unless after
13 determining the inability of the offender to pay the
14 fee, the court assesses a lesser fee or no fee as the
15 case may be. This fee shall be imposed in addition to
16 the fees imposed under subsections (g) and (i) of this
17 Section. The fee shall be collected by the clerk of the
18 circuit court, except as provided in an administrative
19 order of the Chief Judge of the circuit court. The
20 clerk of the circuit court shall pay all monies
21 collected from this fee to the county treasurer for
22 deposit in the substance abuse services fund under
23 Section 5-1086.1 of the Counties Code, except as
24 provided in an administrative order of the Chief Judge
25 of the circuit court.

26 The Chief Judge of the circuit court of the county

1 may by administrative order establish a program for
2 electronic monitoring of offenders, in which a vendor
3 supplies and monitors the operation of the electronic
4 monitoring device, and collects the fees on behalf of
5 the county. The program shall include provisions for
6 indigent offenders and the collection of unpaid fees.
7 The program shall not unduly burden the offender and
8 shall be subject to review by the Chief Judge.

9 The Chief Judge of the circuit court may suspend
10 any additional charges or fees for late payment,
11 interest, or damage to any device; and

12 (v) for persons convicted of offenses other than
13 those referenced in clause (iv) above and who are
14 placed on an approved monitoring device as a condition
15 of probation or conditional discharge, the court shall
16 impose a reasonable fee for each day of the use of the
17 device, as established by the county board in
18 subsection (g) of this Section, unless after
19 determining the inability of the defendant to pay the
20 fee, the court assesses a lesser fee or no fee as the
21 case may be. This fee shall be imposed in addition to
22 the fees imposed under subsections (g) and (i) of this
23 Section. The fee shall be collected by the clerk of the
24 circuit court, except as provided in an administrative
25 order of the Chief Judge of the circuit court. The
26 clerk of the circuit court shall pay all monies

1 collected from this fee to the county treasurer who
2 shall use the monies collected to defray the costs of
3 corrections. The county treasurer shall deposit the
4 fee collected in the probation and court services fund.
5 The Chief Judge of the circuit court of the county may
6 by administrative order establish a program for
7 electronic monitoring of offenders, in which a vendor
8 supplies and monitors the operation of the electronic
9 monitoring device, and collects the fees on behalf of
10 the county. The program shall include provisions for
11 indigent offenders and the collection of unpaid fees.
12 The program shall not unduly burden the offender and
13 shall be subject to review by the Chief Judge.

14 The Chief Judge of the circuit court may suspend
15 any additional charges or fees for late payment,
16 interest, or damage to any device.

17 (11) comply with the terms and conditions of an order
18 of protection issued by the court pursuant to the Illinois
19 Domestic Violence Act of 1986, as now or hereafter amended,
20 or an order of protection issued by the court of another
21 state, tribe, or United States territory. A copy of the
22 order of protection shall be transmitted to the probation
23 officer or agency having responsibility for the case;

24 (12) reimburse any "local anti-crime program" as
25 defined in Section 7 of the Anti-Crime Advisory Council Act
26 for any reasonable expenses incurred by the program on the

1 offender's case, not to exceed the maximum amount of the
2 fine authorized for the offense for which the defendant was
3 sentenced;

4 (13) contribute a reasonable sum of money, not to
5 exceed the maximum amount of the fine authorized for the
6 offense for which the defendant was sentenced, (i) to a
7 "local anti-crime program", as defined in Section 7 of the
8 Anti-Crime Advisory Council Act, or (ii) for offenses under
9 the jurisdiction of the Department of Natural Resources, to
10 the fund established by the Department of Natural Resources
11 for the purchase of evidence for investigation purposes and
12 to conduct investigations as outlined in Section 805-105 of
13 the Department of Natural Resources (Conservation) Law;

14 (14) refrain from entering into a designated
15 geographic area except upon such terms as the court finds
16 appropriate. Such terms may include consideration of the
17 purpose of the entry, the time of day, other persons
18 accompanying the defendant, and advance approval by a
19 probation officer, if the defendant has been placed on
20 probation or advance approval by the court, if the
21 defendant was placed on conditional discharge;

22 (15) refrain from having any contact, directly or
23 indirectly, with certain specified persons or particular
24 types of persons, including but not limited to members of
25 street gangs and drug users or dealers;

26 (16) refrain from having in his or her body the

1 presence of any illicit drug prohibited by the Cannabis
2 Control Act, the Illinois Controlled Substances Act, or the
3 Methamphetamine Control and Community Protection Act,
4 unless prescribed by a physician, and submit samples of his
5 or her blood or urine or both for tests to determine the
6 presence of any illicit drug;

7 (17) if convicted for an offense committed on or after
8 June 1, 2008 (the effective date of Public Act 95-464) that
9 would qualify the accused as a child sex offender as
10 defined in Section 11-9.3 or 11-9.4 of the Criminal Code of
11 1961 or the Criminal Code of 2012, refrain from
12 communicating with or contacting, by means of the Internet,
13 a person who is related to the accused and whom the accused
14 reasonably believes to be under 18 years of age; for
15 purposes of this paragraph (17), "Internet" has the meaning
16 ascribed to it in Section 16-0.1 of the Criminal Code of
17 2012; and a person is related to the accused if the person
18 is: (i) the spouse, brother, or sister of the accused; (ii)
19 a descendant of the accused; (iii) a first or second cousin
20 of the accused; or (iv) a step-child or adopted child of
21 the accused;

22 (18) if convicted for an offense committed on or after
23 June 1, 2009 (the effective date of Public Act 95-983) that
24 would qualify as a sex offense as defined in the Sex
25 Offender Registration Act:

26 (i) not access or use a computer or any other

1 device with Internet capability without the prior
2 written approval of the offender's probation officer,
3 except in connection with the offender's employment or
4 search for employment with the prior approval of the
5 offender's probation officer;

6 (ii) submit to periodic unannounced examinations
7 of the offender's computer or any other device with
8 Internet capability by the offender's probation
9 officer, a law enforcement officer, or assigned
10 computer or information technology specialist,
11 including the retrieval and copying of all data from
12 the computer or device and any internal or external
13 peripherals and removal of such information,
14 equipment, or device to conduct a more thorough
15 inspection;

16 (iii) submit to the installation on the offender's
17 computer or device with Internet capability, at the
18 subject's expense, of one or more hardware or software
19 systems to monitor the Internet use; and

20 (iv) submit to any other appropriate restrictions
21 concerning the offender's use of or access to a
22 computer or any other device with Internet capability
23 imposed by the offender's probation officer; and

24 (19) refrain from possessing a firearm or other
25 dangerous weapon where the offense is a misdemeanor that
26 did not involve the intentional or knowing infliction of

1 bodily harm or threat of bodily harm.

2 (c) The court may as a condition of probation or of
3 conditional discharge require that a person under 18 years of
4 age found guilty of any alcohol, cannabis or controlled
5 substance violation, refrain from acquiring a driver's license
6 during the period of probation or conditional discharge. If
7 such person is in possession of a permit or license, the court
8 may require that the minor refrain from driving or operating
9 any motor vehicle during the period of probation or conditional
10 discharge, except as may be necessary in the course of the
11 minor's lawful employment.

12 (d) An offender sentenced to probation or to conditional
13 discharge shall be given a certificate setting forth the
14 conditions thereof.

15 (e) Except where the offender has committed a fourth or
16 subsequent violation of subsection (c) of Section 6-303 of the
17 Illinois Vehicle Code, the court shall not require as a
18 condition of the sentence of probation or conditional discharge
19 that the offender be committed to a period of imprisonment in
20 excess of 6 months. This 6-month limit shall not include
21 periods of confinement given pursuant to a sentence of county
22 impact incarceration under Section 5-8-1.2.

23 Persons committed to imprisonment as a condition of
24 probation or conditional discharge shall not be committed to
25 the Department of Corrections.

26 (f) The court may combine a sentence of periodic

1 imprisonment under Article 7 or a sentence to a county impact
2 incarceration program under Article 8 with a sentence of
3 probation or conditional discharge.

4 (g) An offender sentenced to probation or to conditional
5 discharge and who during the term of either undergoes mandatory
6 drug or alcohol testing, or both, or is assigned to be placed
7 on an approved electronic monitoring device, shall be ordered
8 to pay all costs incidental to such mandatory drug or alcohol
9 testing, or both, and all costs incidental to such approved
10 electronic monitoring in accordance with the defendant's
11 ability to pay those costs. The county board with the
12 concurrence of the Chief Judge of the judicial circuit in which
13 the county is located shall establish reasonable fees for the
14 cost of maintenance, testing, and incidental expenses related
15 to the mandatory drug or alcohol testing, or both, and all
16 costs incidental to approved electronic monitoring, involved
17 in a successful probation program for the county. The
18 concurrence of the Chief Judge shall be in the form of an
19 administrative order. The fees shall be collected by the clerk
20 of the circuit court, except as provided in an administrative
21 order of the Chief Judge of the circuit court. The clerk of the
22 circuit court shall pay all moneys collected from these fees to
23 the county treasurer who shall use the moneys collected to
24 defray the costs of drug testing, alcohol testing, and
25 electronic monitoring. The county treasurer shall deposit the
26 fees collected in the county working cash fund under Section

1 6-27001 or Section 6-29002 of the Counties Code, as the case
2 may be. The Chief Judge of the circuit court of the county may
3 by administrative order establish a program for electronic
4 monitoring of offenders, in which a vendor supplies and
5 monitors the operation of the electronic monitoring device, and
6 collects the fees on behalf of the county. The program shall
7 include provisions for indigent offenders and the collection of
8 unpaid fees. The program shall not unduly burden the offender
9 and shall be subject to review by the Chief Judge.

10 The Chief Judge of the circuit court may suspend any
11 additional charges or fees for late payment, interest, or
12 damage to any device.

13 (h) Jurisdiction over an offender may be transferred from
14 the sentencing court to the court of another circuit with the
15 concurrence of both courts. Further transfers or retransfers of
16 jurisdiction are also authorized in the same manner. The court
17 to which jurisdiction has been transferred shall have the same
18 powers as the sentencing court. The probation department within
19 the circuit to which jurisdiction has been transferred, or
20 which has agreed to provide supervision, may impose probation
21 fees upon receiving the transferred offender, as provided in
22 subsection (i). For all transfer cases, as defined in Section
23 9b of the Probation and Probation Officers Act, the probation
24 department from the original sentencing court shall retain all
25 probation fees collected prior to the transfer. After the
26 transfer, all probation fees shall be paid to the probation

1 department within the circuit to which jurisdiction has been
2 transferred.

3 (i) The court shall impose upon an offender sentenced to
4 probation after January 1, 1989 or to conditional discharge
5 after January 1, 1992 or to community service under the
6 supervision of a probation or court services department after
7 January 1, 2004, as a condition of such probation or
8 conditional discharge or supervised community service, a fee of
9 \$50 for each month of probation or conditional discharge
10 supervision or supervised community service ordered by the
11 court, unless after determining the inability of the person
12 sentenced to probation or conditional discharge or supervised
13 community service to pay the fee, the court assesses a lesser
14 fee. The court may not impose the fee on a minor who is placed
15 in the guardianship or custody of the Department of Children
16 and Family Services under the Juvenile Court Act of 1987 while
17 the minor is in placement. The fee shall be imposed only upon
18 an offender who is actively supervised by the probation and
19 court services department. The fee shall be collected by the
20 clerk of the circuit court. The clerk of the circuit court
21 shall pay all monies collected from this fee to the county
22 treasurer for deposit in the probation and court services fund
23 under Section 15.1 of the Probation and Probation Officers Act.

24 A circuit court may not impose a probation fee under this
25 subsection (i) in excess of \$25 per month unless the circuit
26 court has adopted, by administrative order issued by the chief

1 judge, a standard probation fee guide determining an offender's
2 ability to pay Of the amount collected as a probation fee, up
3 to \$5 of that fee collected per month may be used to provide
4 services to crime victims and their families.

5 The Court may only waive probation fees based on an
6 offender's ability to pay. The probation department may
7 re-evaluate an offender's ability to pay every 6 months, and,
8 with the approval of the Director of Court Services or the
9 Chief Probation Officer, adjust the monthly fee amount. An
10 offender may elect to pay probation fees due in a lump sum. Any
11 offender that has been assigned to the supervision of a
12 probation department, or has been transferred either under
13 subsection (h) of this Section or under any interstate compact,
14 shall be required to pay probation fees to the department
15 supervising the offender, based on the offender's ability to
16 pay.

17 Public Act 93-970 deletes the \$10 increase in the fee under
18 this subsection that was imposed by Public Act 93-616. This
19 deletion is intended to control over any other Act of the 93rd
20 General Assembly that retains or incorporates that fee
21 increase.

22 (i-5) In addition to the fees imposed under subsection (i)
23 of this Section, in the case of an offender convicted of a
24 felony sex offense (as defined in the Sex Offender Management
25 Board Act) or an offense that the court or probation department
26 has determined to be sexually motivated (as defined in the Sex

1 Offender Management Board Act), the court or the probation
2 department shall assess additional fees to pay for all costs of
3 treatment, assessment, evaluation for risk and treatment, and
4 monitoring the offender, based on that offender's ability to
5 pay those costs either as they occur or under a payment plan.

6 (j) All fines and costs imposed under this Section for any
7 violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle
8 Code, or a similar provision of a local ordinance, and any
9 violation of the Child Passenger Protection Act, or a similar
10 provision of a local ordinance, shall be collected and
11 disbursed by the circuit clerk as provided under Section 27.5
12 of the Clerks of Courts Act.

13 (k) Any offender who is sentenced to probation or
14 conditional discharge for a felony sex offense as defined in
15 the Sex Offender Management Board Act or any offense that the
16 court or probation department has determined to be sexually
17 motivated as defined in the Sex Offender Management Board Act
18 shall be required to refrain from any contact, directly or
19 indirectly, with any persons specified by the court and shall
20 be available for all evaluations and treatment programs
21 required by the court or the probation department.

22 (l) The court may order an offender who is sentenced to
23 probation or conditional discharge for a violation of an order
24 of protection be placed under electronic surveillance as
25 provided in Section 5-8A-7 of this Code.

26 (m) A person sentenced to a term of probation or

1 conditional discharge for a Class 4 felony or a misdemeanor, on
2 or after January 1, 2019, shall receive a credit against the
3 time on his or her probation or conditional discharge for the
4 amount of time served in jail on that offense.

5 (Source: P.A. 99-143, eff. 7-27-15; 99-797, eff. 8-12-16;
6 100-159, eff. 8-18-17; 100-260, eff. 1-1-18; 100-575, eff.
7 1-8-18.)".