



Rep. Karina Villa

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10100HB3403ham001

LRB101 10489 SLF 58432 a

1 AMENDMENT TO HOUSE BILL 3403

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3403 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 5-4.5-55 as follows:

6 (730 ILCS 5/5-4.5-55)

7 (Text of Section before amendment by P.A. 100-987 and  
8 100-1161)

9 Sec. 5-4.5-55. CLASS A MISDEMEANORS; SENTENCE. For a Class  
10 A misdemeanor:

11 (a) TERM. The sentence of imprisonment shall be a  
12 determinate sentence of less than one year.

13 (b) PERIODIC IMPRISONMENT. A sentence of periodic  
14 imprisonment shall be for a definite term of less than one  
15 year, except as otherwise provided in Section 5-5-3 or 5-7-1  
16 (730 ILCS 5/5-5-3 or 5/5-7-1).

1 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS  
2 5/5-8-1.2) concerning eligibility for the county impact  
3 incarceration program.

4 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided  
5 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the  
6 period of probation or conditional discharge shall not exceed 2  
7 years. The court shall specify the conditions of probation or  
8 conditional discharge as set forth in Section 5-6-3 (730 ILCS  
9 5/5-6-3).

10 (e) FINE. A fine not to exceed \$2,500 for each offense or  
11 the amount specified in the offense, whichever is greater, may  
12 be imposed. A fine may be imposed in addition to a sentence of  
13 conditional discharge, probation, periodic imprisonment, or  
14 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,  
15 Art. 9) for imposition of additional amounts and determination  
16 of amounts and payment.

17 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)  
18 concerning restitution.

19 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall  
20 be concurrent or consecutive as provided in Section 5-8-4 (730  
21 ILCS 5/5-8-4).

22 (h) DRUG COURT. See Section 20 of the Drug Court Treatment  
23 Act (730 ILCS 166/20) concerning eligibility for a drug court  
24 program.

25 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730  
26 ILCS 5/5-4.5-100) concerning credit for time spent in home

1 detention prior to judgment.

2 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good  
3 Behavior Allowance Act (730 ILCS 130/) for rules and  
4 regulations for good behavior allowance.

5 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section  
6 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for  
7 electronic monitoring and home detention.

8 (Source: P.A. 100-431, eff. 8-25-17.)

9 (Text of Section after amendment by P.A. 100-987 and  
10 100-1161)

11 Sec. 5-4.5-55. CLASS A MISDEMEANORS; SENTENCE. For a Class  
12 A misdemeanor:

13 (a) TERM. The sentence of imprisonment shall be a  
14 determinate sentence of less than one year.

15 (b) PERIODIC IMPRISONMENT. A sentence of periodic  
16 imprisonment shall be for a definite term of less than one  
17 year, except as otherwise provided in Section 5-5-3 or 5-7-1  
18 (730 ILCS 5/5-5-3 or 5/5-7-1).

19 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS  
20 5/5-8-1.2) concerning eligibility for the county impact  
21 incarceration program.

22 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided  
23 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the  
24 period of probation or conditional discharge shall not exceed 2  
25 years. The court shall specify the conditions of probation or

1 conditional discharge as set forth in Section 5-6-3 (730 ILCS  
2 5/5-6-3). Notwithstanding this subsection (d), a person  
3 convicted of a first violation of Section 11-501 of the  
4 Illinois Vehicle Code may be sentenced to a period of probation  
5 or conditional discharge of up to 5 years and, as a condition  
6 of probation or conditional discharge, to use an ignition  
7 interlock device on any vehicle owned the person for the  
8 duration of the sentence.

9 (e) FINE. Unless otherwise specified by law, the minimum  
10 fine is \$75. A fine not to exceed \$2,500 for each offense or  
11 the amount specified in the offense, whichever is greater, may  
12 be imposed. A fine may be imposed in addition to a sentence of  
13 conditional discharge, probation, periodic imprisonment, or  
14 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,  
15 Art. 9) for imposition of additional amounts and determination  
16 of amounts and payment. If the court finds that the fine would  
17 impose an undue burden on the victim, the court may reduce or  
18 waive the fine.

19 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)  
20 concerning restitution.

21 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall  
22 be concurrent or consecutive as provided in Section 5-8-4 (730  
23 ILCS 5/5-8-4).

24 (h) DRUG COURT. See Section 20 of the Drug Court Treatment  
25 Act (730 ILCS 166/20) concerning eligibility for a drug court  
26 program.

1 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730  
2 ILCS 5/5-4.5-100) concerning credit for time spent in home  
3 detention prior to judgment.

4 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good  
5 Behavior Allowance Act (730 ILCS 130/) for rules and  
6 regulations for good behavior allowance.

7 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section  
8 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for  
9 electronic monitoring and home detention.

10 (Source: P.A. 100-431, eff. 8-25-17; 100-987, eff. 7-1-19;  
11 100-1161, eff. 7-1-19.)

12 Section 95. No acceleration or delay. Where this Act makes  
13 changes in a statute that is represented in this Act by text  
14 that is not yet or no longer in effect (for example, a Section  
15 represented by multiple versions), the use of that text does  
16 not accelerate or delay the taking effect of (i) the changes  
17 made by this Act or (ii) provisions derived from any other  
18 Public Act."