

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 Sections 3-3-1, 3-3-2, 3-3-9, 5-4.5-20, 5-4.5-25,  
6 5-4.5-30, and 5-8-1 and by adding Section 5-4.5-110 as follows:

7 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

8 Sec. 3-3-1. Establishment and appointment of Prisoner  
9 Review Board.

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

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

15 (1.2) the paroling authority for persons eligible for  
16 parole review under Section 5-4.5-110;

17 (1.5) (blank);

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

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

23 (4) the authority for establishing release dates for

1 certain prisoners sentenced under the law in existence  
2 prior to the effective date of this amendatory Act of 1977,  
3 in accordance with Section 3-3-2.1 of this Code;

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

10 (6) the authority for determining whether a violation  
11 of aftercare release conditions warrant revocation of  
12 aftercare release.

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

25 Each member of the Board shall serve on a full-time basis  
26 and shall not hold any other salaried public office, whether

1 elective or appointive, nor any other office or position of  
2 profit, nor engage in any other business, employment, or  
3 vocation. The Chairman of the Board shall receive \$35,000 a  
4 year, or an amount set by the Compensation Review Board,  
5 whichever is greater, and each other member \$30,000, or an  
6 amount set by the Compensation Review Board, whichever is  
7 greater.

8 (c) Notwithstanding any other provision of this Section,  
9 the term of each member of the Board who was appointed by the  
10 Governor and is in office on June 30, 2003 shall terminate at  
11 the close of business on that date or when all of the successor  
12 members to be appointed pursuant to this amendatory Act of the  
13 93rd General Assembly have been appointed by the Governor,  
14 whichever occurs later. As soon as possible, the Governor shall  
15 appoint persons to fill the vacancies created by this  
16 amendatory Act.

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

26 Any member may be removed by the Governor for incompetence,

1 neglect of duty, malfeasance or inability to serve.

2 (d) The Chairman of the Board shall be its chief executive  
3 and administrative officer. The Board may have an Executive  
4 Director; if so, the Executive Director shall be appointed by  
5 the Governor with the advice and consent of the Senate. The  
6 salary and duties of the Executive Director shall be fixed by  
7 the Board.

8 (Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

9 (730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

10 Sec. 3-3-2. Powers and duties.

11 (a) The Parole and Pardon Board is abolished and the term  
12 "Parole and Pardon Board" as used in any law of Illinois, shall  
13 read "Prisoner Review Board." After the effective date of this  
14 amendatory Act of 1977, the Prisoner Review Board shall provide  
15 by rule for the orderly transition of all files, records, and  
16 documents of the Parole and Pardon Board and for such other  
17 steps as may be necessary to effect an orderly transition and  
18 shall:

19 (1) hear by at least one member and through a panel of  
20 at least 3 members decide, cases of prisoners who were  
21 sentenced under the law in effect prior to the effective  
22 date of this amendatory Act of 1977, and who are eligible  
23 for parole;

24 (2) hear by at least one member and through a panel of  
25 at least 3 members decide, the conditions of parole and the

1 time of discharge from parole, impose sanctions for  
2 violations of parole, and revoke parole for those sentenced  
3 under the law in effect prior to this amendatory Act of  
4 1977; provided that the decision to parole and the  
5 conditions of parole for all prisoners who were sentenced  
6 for first degree murder or who received a minimum sentence  
7 of 20 years or more under the law in effect prior to  
8 February 1, 1978 shall be determined by a majority vote of  
9 the Prisoner Review Board. One representative supporting  
10 parole and one representative opposing parole will be  
11 allowed to speak. Their comments shall be limited to making  
12 corrections and filling in omissions to the Board's  
13 presentation and discussion;

14 (3) hear by at least one member and through a panel of  
15 at least 3 members decide, the conditions of mandatory  
16 supervised release and the time of discharge from mandatory  
17 supervised release, impose sanctions for violations of  
18 mandatory supervised release, and revoke mandatory  
19 supervised release for those sentenced under the law in  
20 effect after the effective date of this amendatory Act of  
21 1977;

22 (3.5) hear by at least one member and through a panel  
23 of at least 3 members decide, the conditions of mandatory  
24 supervised release and the time of discharge from mandatory  
25 supervised release, to impose sanctions for violations of  
26 mandatory supervised release and revoke mandatory

1 supervised release for those serving extended supervised  
2 release terms pursuant to paragraph (4) of subsection (d)  
3 of Section 5-8-1;

4 (3.6) hear by at least one member and through a panel  
5 of at least 3 members decide whether to revoke aftercare  
6 release for those committed to the Department of Juvenile  
7 Justice under the Juvenile Court Act of 1987;

8 (4) hear by at least one member and through a panel of  
9 at least 3 members, decide cases brought by the Department  
10 of Corrections against a prisoner in the custody of the  
11 Department for alleged violation of Department rules with  
12 respect to sentence credits under Section 3-6-3 of this  
13 Code in which the Department seeks to revoke sentence  
14 credits, if the amount of time at issue exceeds 30 days or  
15 when, during any 12 month period, the cumulative amount of  
16 credit revoked exceeds 30 days except where the infraction  
17 is committed or discovered within 60 days of scheduled  
18 release. In such cases, the Department of Corrections may  
19 revoke up to 30 days of sentence credit. The Board may  
20 subsequently approve the revocation of additional sentence  
21 credit, if the Department seeks to revoke sentence credit  
22 in excess of thirty days. However, the Board shall not be  
23 empowered to review the Department's decision with respect  
24 to the loss of 30 days of sentence credit for any prisoner  
25 or to increase any penalty beyond the length requested by  
26 the Department;

1 (5) hear by at least one member and through a panel of  
2 at least 3 members decide, the release dates for certain  
3 prisoners sentenced under the law in existence prior to the  
4 effective date of this amendatory Act of 1977, in  
5 accordance with Section 3-3-2.1 of this Code;

6 (6) hear by at least one member and through a panel of  
7 at least 3 members decide, all requests for pardon,  
8 reprieve or commutation, and make confidential  
9 recommendations to the Governor;

10 (6.5) hear by at least one member who is qualified in  
11 the field of juvenile matters and through a panel of at  
12 least 3 members, 2 of whom are qualified in the field of  
13 juvenile matters, decide parole review cases in accordance  
14 with Section 5-4.5-110 of this Code and make release  
15 determinations of persons under the age of 21 at the time  
16 of the commission of an offense or offenses, other than  
17 those persons serving sentences for first degree murder or  
18 aggravated criminal sexual assault;

19 (6.6) hear by at least a quorum of the Prisoner Review  
20 Board and decide by a majority of members present at the  
21 hearing, in accordance with Section 5-4.5-110 of this Code,  
22 release determinations of persons under the age of 21 at  
23 the time of the commission of an offense or offenses of  
24 those persons serving sentences for first degree murder or  
25 aggravated criminal sexual assault;

26 (7) comply with the requirements of the Open Parole

1 Hearings Act;

2 (8) hear by at least one member and, through a panel of  
3 at least 3 members, decide cases brought by the Department  
4 of Corrections against a prisoner in the custody of the  
5 Department for court dismissal of a frivolous lawsuit  
6 pursuant to Section 3-6-3(d) of this Code in which the  
7 Department seeks to revoke up to 180 days of sentence  
8 credit, and if the prisoner has not accumulated 180 days of  
9 sentence credit at the time of the dismissal, then all  
10 sentence credit accumulated by the prisoner shall be  
11 revoked;

12 (9) hear by at least 3 members, and, through a panel of  
13 at least 3 members, decide whether to grant certificates of  
14 relief from disabilities or certificates of good conduct as  
15 provided in Article 5.5 of Chapter V;

16 (10) upon a petition by a person who has been convicted  
17 of a Class 3 or Class 4 felony and who meets the  
18 requirements of this paragraph, hear by at least 3 members  
19 and, with the unanimous vote of a panel of 3 members, issue  
20 a certificate of eligibility for sealing recommending that  
21 the court order the sealing of all official records of the  
22 arresting authority, the circuit court clerk, and the  
23 Department of State Police concerning the arrest and  
24 conviction for the Class 3 or 4 felony. A person may not  
25 apply to the Board for a certificate of eligibility for  
26 sealing:



1 (A) until 5 years have elapsed since the expiration  
2 of his or her sentence;

3 (B) until 5 years have elapsed since any arrests or  
4 detentions by a law enforcement officer for an alleged  
5 violation of law, other than a petty offense, traffic  
6 offense, conservation offense, or local ordinance  
7 offense;

8 (C) if convicted of a violation of the Cannabis  
9 Control Act, Illinois Controlled Substances Act, the  
10 Methamphetamine Control and Community Protection Act,  
11 the Methamphetamine Precursor Control Act, or the  
12 Methamphetamine Precursor Tracking Act unless the  
13 petitioner has completed a drug abuse program for the  
14 offense on which sealing is sought and provides proof  
15 that he or she has completed the program successfully;

16 (D) if convicted of:

17 (i) a sex offense described in Article 11 or  
18 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of  
19 the Criminal Code of 1961 or the Criminal Code of  
20 2012;

21 (ii) aggravated assault;

22 (iii) aggravated battery;

23 (iv) domestic battery;

24 (v) aggravated domestic battery;

25 (vi) violation of an order of protection;

26 (vii) an offense under the Criminal Code of

1           1961 or the Criminal Code of 2012 involving a  
2           firearm;

3           (viii) driving while under the influence of  
4           alcohol, other drug or drugs, intoxicating  
5           compound or compounds or any combination thereof;

6           (ix) aggravated driving while under the  
7           influence of alcohol, other drug or drugs,  
8           intoxicating compound or compounds or any  
9           combination thereof; or

10          (x) any crime defined as a crime of violence  
11          under Section 2 of the Crime Victims Compensation  
12          Act.

13                 If a person has applied to the Board for a certificate  
14                 of eligibility for sealing and the Board denies the  
15                 certificate, the person must wait at least 4 years before  
16                 filing again or filing for pardon from the Governor unless  
17                 the Chairman of the Prisoner Review Board grants a waiver.

18                 The decision to issue or refrain from issuing a  
19                 certificate of eligibility for sealing shall be at the  
20                 Board's sole discretion, and shall not give rise to any  
21                 cause of action against either the Board or its members.

22                 The Board may only authorize the sealing of Class 3 and  
23                 4 felony convictions of the petitioner from one information  
24                 or indictment under this paragraph (10). A petitioner may  
25                 only receive one certificate of eligibility for sealing  
26                 under this provision for life; and

1           (11) upon a petition by a person who after having been  
2 convicted of a Class 3 or Class 4 felony thereafter served  
3 in the United States Armed Forces or National Guard of this  
4 or any other state and had received an honorable discharge  
5 from the United States Armed Forces or National Guard or  
6 who at the time of filing the petition is enlisted in the  
7 United States Armed Forces or National Guard of this or any  
8 other state and served one tour of duty and who meets the  
9 requirements of this paragraph, hear by at least 3 members  
10 and, with the unanimous vote of a panel of 3 members, issue  
11 a certificate of eligibility for expungement recommending  
12 that the court order the expungement of all official  
13 records of the arresting authority, the circuit court  
14 clerk, and the Department of State Police concerning the  
15 arrest and conviction for the Class 3 or 4 felony. A person  
16 may not apply to the Board for a certificate of eligibility  
17 for expungement:

18           (A) if convicted of:

19                 (i) a sex offense described in Article 11 or  
20 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of  
21 the Criminal Code of 1961 or Criminal Code of 2012;

22                 (ii) an offense under the Criminal Code of 1961  
23 or Criminal Code of 2012 involving a firearm; or

24                 (iii) a crime of violence as defined in Section  
25 2 of the Crime Victims Compensation Act; or

26           (B) if the person has not served in the United

1 States Armed Forces or National Guard of this or any  
2 other state or has not received an honorable discharge  
3 from the United States Armed Forces or National Guard  
4 of this or any other state or who at the time of the  
5 filing of the petition is serving in the United States  
6 Armed Forces or National Guard of this or any other  
7 state and has not completed one tour of duty.

8 If a person has applied to the Board for a certificate  
9 of eligibility for expungement and the Board denies the  
10 certificate, the person must wait at least 4 years before  
11 filing again or filing for a pardon with authorization for  
12 expungement from the Governor unless the Governor or  
13 Chairman of the Prisoner Review Board grants a waiver.

14 (a-5) The Prisoner Review Board, with the cooperation of  
15 and in coordination with the Department of Corrections and the  
16 Department of Central Management Services, shall implement a  
17 pilot project in 3 correctional institutions providing for the  
18 conduct of hearings under paragraphs (1) and (4) of subsection  
19 (a) of this Section through interactive video conferences. The  
20 project shall be implemented within 6 months after the  
21 effective date of this amendatory Act of 1996. Within 6 months  
22 after the implementation of the pilot project, the Prisoner  
23 Review Board, with the cooperation of and in coordination with  
24 the Department of Corrections and the Department of Central  
25 Management Services, shall report to the Governor and the  
26 General Assembly regarding the use, costs, effectiveness, and

1 future viability of interactive video conferences for Prisoner  
2 Review Board hearings.

3 (b) Upon recommendation of the Department the Board may  
4 restore sentence credit previously revoked.

5 (c) The Board shall cooperate with the Department in  
6 promoting an effective system of parole and mandatory  
7 supervised release.

8 (d) The Board shall promulgate rules for the conduct of its  
9 work, and the Chairman shall file a copy of such rules and any  
10 amendments thereto with the Director and with the Secretary of  
11 State.

12 (e) The Board shall keep records of all of its official  
13 actions and shall make them accessible in accordance with law  
14 and the rules of the Board.

15 (f) The Board or one who has allegedly violated the  
16 conditions of his or her parole, aftercare release, or  
17 mandatory supervised release may require by subpoena the  
18 attendance and testimony of witnesses and the production of  
19 documentary evidence relating to any matter under  
20 investigation or hearing. The Chairman of the Board may sign  
21 subpoenas which shall be served by any agent or public official  
22 authorized by the Chairman of the Board, or by any person  
23 lawfully authorized to serve a subpoena under the laws of the  
24 State of Illinois. The attendance of witnesses, and the  
25 production of documentary evidence, may be required from any  
26 place in the State to a hearing location in the State before

1 the Chairman of the Board or his or her designated agent or  
2 agents or any duly constituted Committee or Subcommittee of the  
3 Board. Witnesses so summoned shall be paid the same fees and  
4 mileage that are paid witnesses in the circuit courts of the  
5 State, and witnesses whose depositions are taken and the  
6 persons taking those depositions are each entitled to the same  
7 fees as are paid for like services in actions in the circuit  
8 courts of the State. Fees and mileage shall be vouchered for  
9 payment when the witness is discharged from further attendance.

10 In case of disobedience to a subpoena, the Board may  
11 petition any circuit court of the State for an order requiring  
12 the attendance and testimony of witnesses or the production of  
13 documentary evidence or both. A copy of such petition shall be  
14 served by personal service or by registered or certified mail  
15 upon the person who has failed to obey the subpoena, and such  
16 person shall be advised in writing that a hearing upon the  
17 petition will be requested in a court room to be designated in  
18 such notice before the judge hearing motions or extraordinary  
19 remedies at a specified time, on a specified date, not less  
20 than 10 nor more than 15 days after the deposit of the copy of  
21 the written notice and petition in the U.S. mails addressed to  
22 the person at his last known address or after the personal  
23 service of the copy of the notice and petition upon such  
24 person. The court upon the filing of such a petition, may order  
25 the person refusing to obey the subpoena to appear at an  
26 investigation or hearing, or to there produce documentary

1 evidence, if so ordered, or to give evidence relative to the  
2 subject matter of that investigation or hearing. Any failure to  
3 obey such order of the circuit court may be punished by that  
4 court as a contempt of court.

5 Each member of the Board and any hearing officer designated  
6 by the Board shall have the power to administer oaths and to  
7 take the testimony of persons under oath.

8 (g) Except under subsection (a) of this Section, a majority  
9 of the members then appointed to the Prisoner Review Board  
10 shall constitute a quorum for the transaction of all business  
11 of the Board.

12 (h) The Prisoner Review Board shall annually transmit to  
13 the Director a detailed report of its work for the preceding  
14 calendar year. The annual report shall also be transmitted to  
15 the Governor for submission to the Legislature.

16 (Source: P.A. 98-399, eff. 8-16-13; 98-558, eff. 1-1-14;  
17 98-756, eff. 7-16-14; 99-628, eff. 1-1-17.)

18 (730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

19 Sec. 3-3-9. Violations; changes of conditions; preliminary  
20 hearing; revocation of parole or mandatory supervised release;  
21 revocation hearing.

22 (a) If prior to expiration or termination of the term of  
23 parole or mandatory supervised release, a person violates a  
24 condition set by the Prisoner Review Board or a condition of  
25 parole or mandatory supervised release under Section 3-3-7 of

1 this Code to govern that term, the Board may:

2 (1) continue the existing term, with or without  
3 modifying or enlarging the conditions; or

4 (1.5) for those released as a result of youthful  
5 offender parole as set forth in Section 5-4.5-110 of this  
6 Code, order that the inmate be subsequently rereleased to  
7 serve a specified mandatory supervised release term not to  
8 exceed the full term permitted under the provisions of  
9 5-4.5-110 and subsection (d) of Section 5-8-1 of this Code  
10 and may modify or enlarge the conditions of the release as  
11 the Board deems proper; or

12 (2) parole or release the person to a half-way house;  
13 or

14 (3) revoke the parole or mandatory supervised release  
15 and reconfine the person for a term computed in the  
16 following manner:

17 (i) (A) For those sentenced under the law in effect  
18 prior to this amendatory Act of 1977, the recommitment  
19 shall be for any portion of the imposed maximum term of  
20 imprisonment or confinement which had not been served  
21 at the time of parole and the parole term, less the  
22 time elapsed between the parole of the person and the  
23 commission of the violation for which parole was  
24 revoked;

25 (B) Except as set forth in paragraphs ~~paragraph~~ (C)  
26 and (D), for those subject to mandatory supervised



1 release under paragraph (d) of Section 5-8-1 of this  
2 Code, the recommitment shall be for the total mandatory  
3 supervised release term, less the time elapsed between  
4 the release of the person and the commission of the  
5 violation for which mandatory supervised release is  
6 revoked. The Board may also order that a prisoner serve  
7 up to one year of the sentence imposed by the court  
8 which was not served due to the accumulation of  
9 sentence credit;

10 (C) For those subject to sex offender supervision  
11 under clause (d) (4) of Section 5-8-1 of this Code, the  
12 reconfinement period for violations of clauses (a) (3)  
13 through (b-1) (15) of Section 3-3-7 shall not exceed 2  
14 years from the date of reconfinement;

15 (D) For those released as a result of youthful  
16 offender parole as set forth in Section 5-4.5-110 of  
17 this Code, the reconfinement period shall be for the  
18 total mandatory supervised release term, less the time  
19 elapsed between the release of the person and the  
20 commission of the violation for which mandatory  
21 supervised release is revoked. The Board may also order  
22 that a prisoner serve up to one year of the mandatory  
23 supervised release term previously earned. The Board  
24 may also order that the inmate be subsequently  
25 rereleased to serve a specified mandatory supervised  
26 release term not to exceed the full term permitted

1           under the provisions of 5-4.5-110 and subsection (d) of  
2           Section 5-8-1 of this Code and may modify or enlarge  
3           the conditions of the release as the Board deems  
4           proper;

5           (ii) the person shall be given credit against the  
6           term of reimprisonment or reconfinement for time spent  
7           in custody since he or she was paroled or released  
8           which has not been credited against another sentence or  
9           period of confinement;

10          (iii) (blank);

11          (iv) this Section is subject to the release under  
12          supervision and the reparole and rerelease provisions  
13          of Section 3-3-10.

14          (b) The Board may revoke parole or mandatory supervised  
15          release for violation of a condition for the duration of the  
16          term and for any further period which is reasonably necessary  
17          for the adjudication of matters arising before its expiration.  
18          The issuance of a warrant of arrest for an alleged violation of  
19          the conditions of parole or mandatory supervised release shall  
20          toll the running of the term until the final determination of  
21          the charge. When parole or mandatory supervised release is not  
22          revoked that period shall be credited to the term, unless a  
23          community-based sanction is imposed as an alternative to  
24          revocation and reincarceration, including a diversion  
25          established by the Illinois Department of Corrections Parole  
26          Services Unit prior to the holding of a preliminary parole

1 revocation hearing. Parolees who are diverted to a  
2 community-based sanction shall serve the entire term of parole  
3 or mandatory supervised release, if otherwise appropriate.

4 (b-5) The Board shall revoke parole or mandatory supervised  
5 release for violation of the conditions prescribed in paragraph  
6 (7.6) of subsection (a) of Section 3-3-7.

7 (c) A person charged with violating a condition of parole  
8 or mandatory supervised release shall have a preliminary  
9 hearing before a hearing officer designated by the Board to  
10 determine if there is cause to hold the person for a revocation  
11 hearing. However, no preliminary hearing need be held when  
12 revocation is based upon new criminal charges and a court finds  
13 probable cause on the new criminal charges or when the  
14 revocation is based upon a new criminal conviction and a  
15 certified copy of that conviction is available.

16 (d) Parole or mandatory supervised release shall not be  
17 revoked without written notice to the offender setting forth  
18 the violation of parole or mandatory supervised release charged  
19 against him or her.

20 (e) A hearing on revocation shall be conducted before at  
21 least one member of the Prisoner Review Board. The Board may  
22 meet and order its actions in panels of 3 or more members. The  
23 action of a majority of the panel shall be the action of the  
24 Board. A record of the hearing shall be made. At the hearing  
25 the offender shall be permitted to:

26 (1) appear and answer the charge; and

1 (2) bring witnesses on his or her behalf.

2 (f) The Board shall either revoke parole or mandatory  
3 supervised release or order the person's term continued with or  
4 without modification or enlargement of the conditions.

5 (g) Parole or mandatory supervised release shall not be  
6 revoked for failure to make payments under the conditions of  
7 parole or release unless the Board determines that such failure  
8 is due to the offender's willful refusal to pay.

9 (Source: P.A. 98-463, eff. 8-16-13; 98-558, eff. 1-1-14;  
10 99-628, eff. 1-1-17.)

11 (730 ILCS 5/5-4.5-20)

12 Sec. 5-4.5-20. FIRST DEGREE MURDER; SENTENCE. For first  
13 degree murder:

14 (a) TERM. The defendant shall be sentenced to imprisonment  
15 or, if appropriate, death under Section 9-1 of the Criminal  
16 Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-1).  
17 Imprisonment shall be for a determinate term, subject to  
18 Section 5-4.5-110 of this Code, of (1) not less than 20 years  
19 and not more than 60 years; (2) not less than 60 years and not  
20 more than 100 years when an extended term is imposed under  
21 Section 5-8-2 (730 ILCS 5/5-8-2); or (3) natural life as  
22 provided in Section 5-8-1 (730 ILCS 5/5-8-1).

23 (b) PERIODIC IMPRISONMENT. A term of periodic imprisonment  
24 shall not be imposed.

25 (c) IMPACT INCARCERATION. The impact incarceration program

1 or the county impact incarceration program is not an authorized  
2 disposition.

3 (d) PROBATION; CONDITIONAL DISCHARGE. A period of  
4 probation or conditional discharge shall not be imposed.

5 (e) FINE. Fines may be imposed as provided in Section  
6 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

7 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)  
8 concerning restitution.

9 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall  
10 be concurrent or consecutive as provided in Section 5-8-4 (730  
11 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

12 (h) DRUG COURT. Drug court is not an authorized  
13 disposition.

14 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730  
15 ILCS 5/5-4.5-100) concerning no credit for time spent in home  
16 detention prior to judgment.

17 (j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3)  
18 for rules and regulations for sentence credit.

19 (k) ELECTRONIC HOME DETENTION. Electronic home detention  
20 is not an authorized disposition, except in limited  
21 circumstances as provided in Section 5-8A-3 (730 ILCS  
22 5/5-8A-3).

23 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as  
24 provided in Section 3-3-8 (730 ILCS 5/3-3-8), the parole or  
25 mandatory supervised release term shall be 3 years upon release  
26 from imprisonment.

1 (Source: P.A. 97-697, eff. 6-22-12; 97-1150, eff. 1-25-13.)

2 (730 ILCS 5/5-4.5-25)

3 Sec. 5-4.5-25. CLASS X FELONIES; SENTENCE. For a Class X  
4 felony:

5 (a) TERM. The sentence of imprisonment shall be a  
6 determinate sentence, subject to Section 5-4.5-110 of this  
7 Code, of not less than 6 years and not more than 30 years. The  
8 sentence of imprisonment for an extended term Class X felony,  
9 as provided in Section 5-8-2 (730 ILCS 5/5-8-2), subject to  
10 Section 5-4.5-110 of this Code, shall be not less than 30 years  
11 and not more than 60 years.

12 (b) PERIODIC IMPRISONMENT. A term of periodic imprisonment  
13 shall not be imposed.

14 (c) IMPACT INCARCERATION. The impact incarceration program  
15 or the county impact incarceration program is not an authorized  
16 disposition.

17 (d) PROBATION; CONDITIONAL DISCHARGE. A period of  
18 probation or conditional discharge shall not be imposed.

19 (e) FINE. Fines may be imposed as provided in Section  
20 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

21 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)  
22 concerning restitution.

23 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall  
24 be concurrent or consecutive as provided in Section 5-8-4 (730  
25 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

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

4 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730  
5 ILCS 5/5-4.5-100) concerning no credit for time spent in home  
6 detention prior to judgment.

7 (j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3)  
8 for rules and regulations for sentence credit.

9 (k) ELECTRONIC HOME DETENTION. See Section 5-8A-3 (730 ILCS  
10 5/5-8A-3) concerning eligibility for electronic home  
11 detention.

12 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as  
13 provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or  
14 5/5-8-1), the parole or mandatory supervised release term shall  
15 be 3 years upon release from imprisonment.

16 (Source: P.A. 97-697, eff. 6-22-12.)

17 (730 ILCS 5/5-4.5-30)

18 Sec. 5-4.5-30. CLASS 1 FELONIES; SENTENCE. For a Class 1  
19 felony:

20 (a) TERM. The sentence of imprisonment, other than for  
21 second degree murder, shall be a determinate sentence of not  
22 less than 4 years and not more than 15 years, subject to  
23 Section 5-4.5-110 of this Code. The sentence of imprisonment  
24 for second degree murder shall be a determinate sentence of not  
25 less than 4 years and not more than 20 years, subject to

1 Section 5-4.5-110 of this Code. The sentence of imprisonment  
2 for an extended term Class 1 felony, as provided in Section  
3 5-8-2 (730 ILCS 5/5-8-2), subject to Section 5-4.5-110 of this  
4 Code, shall be a term not less than 15 years and not more than  
5 30 years.

6 (b) PERIODIC IMPRISONMENT. A sentence of periodic  
7 imprisonment shall be for a definite term of from 3 to 4 years,  
8 except as otherwise provided in Section 5-5-3 or 5-7-1 (730  
9 ILCS 5/5-5-3 or 5/5-7-1).

10 (c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2  
11 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for  
12 the impact incarceration program or the county impact  
13 incarceration program.

14 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided  
15 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the  
16 period of probation or conditional discharge shall not exceed 4  
17 years. The court shall specify the conditions of probation or  
18 conditional discharge as set forth in Section 5-6-3 (730 ILCS  
19 5/5-6-3). In no case shall an offender be eligible for a  
20 disposition of probation or conditional discharge for a Class 1  
21 felony committed while he or she was serving a term of  
22 probation or conditional discharge for a felony.

23 (e) FINE. Fines may be imposed as provided in Section  
24 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

25 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)  
26 concerning restitution.



1 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall  
2 be concurrent or consecutive as provided in Section 5-8-4 (730  
3 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

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

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

10 (j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730  
11 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act  
12 (730 ILCS 130/) for rules and regulations for sentence credit.

13 (k) ELECTRONIC HOME DETENTION. See Section 5-8A-3 (730 ILCS  
14 5/5-8A-3) concerning eligibility for electronic home  
15 detention.

16 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as  
17 provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or  
18 5/5-8-1), the parole or mandatory supervised release term shall  
19 be 2 years upon release from imprisonment.

20 (Source: P.A. 97-697, eff. 6-22-12.)

21 (730 ILCS 5/5-4.5-110 new)

22 Sec. 5-4.5-110. Parole review of persons under the age of  
23 21 at the time of the commission of an offense.

24 (a) For purposes of this Section, "victim" means a victim  
25 of a violent crime as defined in subsection (a) of Section 3 of

1 the Rights of Crime Victims and Witnesses Act including a  
2 witness as defined in subsection (b) of Section 3 of the Rights  
3 of Crime Victims and Witnesses Act; any person legally related  
4 to the victim by blood, marriage, adoption, or guardianship;  
5 any friend of the victim; or any concerned citizen.

6 (b) A person under 21 years of age at the time of the  
7 commission of an offense or offenses, other than first degree  
8 murder, and who is not serving a sentence for first degree  
9 murder and who is sentenced on or after the effective date of  
10 this amendatory Act of the 100th General Assembly shall be  
11 eligible for parole review by the Prisoner Review Board after  
12 serving 10 years or more of his or her sentence or sentences,  
13 except for those serving a sentence or sentences for: (1)  
14 aggravated criminal sexual assault who shall be eligible for  
15 parole review by the Prisoner Review Board after serving 20  
16 years or more of his or her sentence or sentences or (2)  
17 predatory criminal sexual assault of a child who shall not be  
18 eligible for parole review by the Prisoner Review Board under  
19 this Section. A person under 21 years of age at the time of the  
20 commission of first degree murder who is sentenced on or after  
21 the effective date of this amendatory Act of the 100th General  
22 Assembly shall be eligible for parole review by the Prisoner  
23 Review Board after serving 20 years or more of his or her  
24 sentence or sentences, except for those subject to a term of  
25 natural life imprisonment under Section 5-8-1 of this Code or  
26 any person subject to sentencing under subsection (c) of

1 Section 5-4.5-105 of this Code.

2 (c) Three years prior to becoming eligible for parole  
3 review, the eligible person may file his or her petition for  
4 parole review with the Prisoner Review Board. The petition  
5 shall include a copy of the order of commitment and sentence to  
6 the Department of Corrections for the offense or offenses for  
7 which review is sought. Within 30 days of receipt of this  
8 petition, the Prisoner Review Board shall determine whether the  
9 petition is appropriately filed, and if so, shall set a date  
10 for parole review 3 years from receipt of the petition and  
11 notify the Department of Corrections within 10 business days.  
12 If the Prisoner Review Board determines that the petition is  
13 not appropriately filed, it shall notify the petitioner in  
14 writing, including a basis for its determination.

15 (d) Within 6 months of the Prisoner Review Board's  
16 determination that the petition was appropriately filed, a  
17 representative from the Department of Corrections shall meet  
18 with the eligible person and provide the inmate information  
19 about the parole hearing process and personalized  
20 recommendations for the inmate regarding his or her work  
21 assignments, rehabilitative programs, and institutional  
22 behavior. Following this meeting, the eligible person has 7  
23 calendar days to file a written request to the representative  
24 from the Department of Corrections who met with the eligible  
25 person of any additional programs and services which the  
26 eligible person believes should be made available to prepare

1 the eligible person for return to the community.

2 (e) One year prior to the person being eligible for parole,  
3 counsel shall be appointed by the Prisoner Review Board upon a  
4 finding of indigency. The eligible person may waive appointed  
5 counsel or retain his or her own counsel at his or her own  
6 expense.

7 (f) Nine months prior to the hearing, the Prisoner Review  
8 Board shall provide the eligible person, and his or her  
9 counsel, any written documents or materials it will be  
10 considering in making its decision unless the written documents  
11 or materials are specifically found to: (1) include information  
12 which, if disclosed, would damage the therapeutic relationship  
13 between the inmate and a mental health professional; (2)  
14 subject any person to the actual risk of physical harm; (3)  
15 threaten the safety or security of the Department or an  
16 institution. In accordance with Section 35 of the Open Parole  
17 Hearings Act, victim impact statements either oral, written,  
18 video-taped, tape recorded or made by other electronic means  
19 shall not be considered public documents under the provisions  
20 of the Freedom of Information Act. The inmate or his or her  
21 attorney shall not be given a copy of the statement, but shall  
22 be informed of the existence of a victim impact statement and  
23 the position taken by the victim on the inmate's request for  
24 parole. This shall not be construed to permit disclosure to an  
25 inmate of any information which might result in the risk of  
26 threats or physical harm to a victim. The Prisoner Review Board

1 shall have an ongoing duty to provide the eligible person, and  
2 his or her counsel, with any further documents or materials  
3 that come into its possession prior to the hearing subject to  
4 the limitations contained in this subsection.

5 (g) Not less than 12 months prior to the hearing, the  
6 Prisoner Review Board shall provide notification to the State's  
7 Attorney of the county from which the person was committed and  
8 written notification to the victim or family of the victim of  
9 the scheduled hearing place, date, and approximate time. The  
10 written notification shall contain: (1) information about  
11 their right to be present, appear in person at the parole  
12 hearing, and their right to make an oral statement and submit  
13 information in writing, by videotape, tape recording, or other  
14 electronic means; (2) a toll-free number to call for further  
15 information about the parole review process; and (3)  
16 information regarding available resources, including  
17 trauma-informed therapy, they may access. If the Board does not  
18 have knowledge of the current address of the victim or family  
19 of the victim, it shall notify the State's Attorney of the  
20 county of commitment and request assistance in locating the  
21 victim or family of the victim. Those victims or family of the  
22 victims who advise the Board in writing that they no longer  
23 wish to be notified shall not receive future notices. A victim  
24 shall have the right to submit information by videotape, tape  
25 recording, or other electronic means. The victim may submit  
26 this material prior to or at the parole hearing. The victim

1 also has the right to be heard at the parole hearing.

2 (h) The hearing conducted by the Prisoner Review Board  
3 shall be governed by Sections 15 and 20, subsection (f) of  
4 Section 5, subsection (a) of Section 10, subsection (d) of  
5 Section 25, and subsections (a), (b), and (e) of Section 35 of  
6 the Open Parole Hearings Act and Part 1610 of Title 20 of the  
7 Illinois Administrative Code. The eligible person has a right  
8 to be present at the Prisoner Review Board hearing, unless the  
9 Prisoner Review Board determines the eligible person's  
10 presence is unduly burdensome when conducting a hearing under  
11 paragraph (6.6) of subsection (a) of Section 3-3-2 of this  
12 Code. If a psychological evaluation is submitted for the  
13 Prisoner Review Board's consideration, it shall be prepared by  
14 a person who has expertise in adolescent brain development and  
15 behavior, and shall take into consideration the diminished  
16 culpability of youthful offenders, the hallmark features of  
17 youth, and any subsequent growth and increased maturity of the  
18 person. At the hearing, the eligible person shall have the  
19 right to make a statement on his or her own behalf.

20 (i) Only upon motion for good cause shall the date for the  
21 Prisoner Review Board hearing, as set by subsection (b) of this  
22 Section, be changed. No less than 15 days prior to the hearing,  
23 the Prisoner Review Board shall notify the victim or victim  
24 representative, the attorney, and the eligible person of the  
25 exact date and time of the hearing. All hearings shall be open  
26 to the public.

1       (j) The Prisoner Review Board shall not parole the eligible  
2 person if it determines that:

3           (1) there is a substantial risk that the eligible  
4 person will not conform to reasonable conditions of parole  
5 or aftercare release; or

6           (2) the eligible person's release at that time would  
7 deprecate the seriousness of his or her offense or promote  
8 disrespect for the law; or

9           (3) the eligible person's release would have a  
10 substantially adverse effect on institutional discipline.

11       In considering the factors affecting the release  
12 determination under 20 Ill. Adm. Code 1610.50(b), the Prisoner  
13 Review Board panel shall consider the diminished culpability of  
14 youthful offenders, the hallmark features of youth, and any  
15 subsequent growth and maturity of the youthful offender during  
16 incarceration.

17       (k) Unless denied parole under subsection (j) of this  
18 Section and subject to the provisions of Section 3-3-9 of this  
19 Code: (1) the eligible person serving a sentence for any  
20 non-first degree murder offense or offenses, shall be released  
21 on parole which shall operate to discharge any remaining term  
22 of years sentence imposed upon him or her, notwithstanding any  
23 required mandatory supervised release period the eligible  
24 person is required to serve; and (2) the eligible person  
25 serving a sentence for any first degree murder offense, shall  
26 be released on mandatory supervised release for a period of 10

1 years subject to Section 3-3-8, which shall operate to  
2 discharge any remaining term of years sentence imposed upon him  
3 or her, however in no event shall the eligible person serve a  
4 period of mandatory supervised release greater than the  
5 aggregate of the discharged underlying sentence and the  
6 mandatory supervised release period as sent forth in Section  
7 5-4.5-20.

8 (l) If the Prisoner Review Board denies parole after  
9 conducting the hearing under subsection (j) of this Section, it  
10 shall issue a written decision which states the rationale for  
11 denial, including the primary factors considered. This  
12 decision shall be provided to the eligible person and his or  
13 her counsel within 30 days.

14 (m) A person denied parole under subsection (j) of this  
15 Section, who is not serving a sentence for either first degree  
16 murder or aggravated criminal sexual assault, shall be eligible  
17 for a second parole review by the Prisoner Review Board 5 years  
18 after the written decision under subsection (l) of this  
19 Section; a person denied parole under subsection (j) of this  
20 Section, who is serving a sentence or sentences for first  
21 degree murder or aggravated criminal sexual assault shall be  
22 eligible for a second and final parole review by the Prisoner  
23 Review Board 10 years after the written decision under  
24 subsection (k) of this Section. The procedures for a second  
25 parole review shall be governed by subsections (c) through (k)  
26 of this Section.



1       (n) A person denied parole under subsection (m) of this  
2 Section, who is not serving a sentence for either first degree  
3 murder or aggravated criminal sexual assault, shall be eligible  
4 for a third and final parole review by the Prisoner Review  
5 Board 5 years after the written decision under subsection (l)  
6 of this Section. The procedures for the third and final parole  
7 review shall be governed by subsections (c) through (k) of this  
8 Section.

9       (o) Notwithstanding anything else to the contrary in this  
10 Section, nothing in this Section shall be construed to delay  
11 parole or mandatory supervised release consideration for  
12 petitioners who are or will be eligible for release earlier  
13 than this Section provides. Nothing in this Section shall be  
14 construed as a limit, substitution, or bar on a person's right  
15 to sentencing relief, or any other manner of relief, obtained  
16 by order of a court in proceedings other than as provided in  
17 this Section.

18       (730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

19       Sec. 5-8-1. Natural life imprisonment; enhancements for  
20 use of a firearm; mandatory supervised release terms.

21       (a) Except as otherwise provided in the statute defining  
22 the offense or in Article 4.5 of Chapter V, a sentence of  
23 imprisonment for a felony shall be a determinate sentence set  
24 by the court under this Section, subject to Section 5-4.5-110  
25 of this Code, according to the following limitations:

1 (1) for first degree murder,

2 (a) (blank),

3 (b) if a trier of fact finds beyond a reasonable  
4 doubt that the murder was accompanied by exceptionally  
5 brutal or heinous behavior indicative of wanton  
6 cruelty or, except as set forth in subsection (a) (1) (c)  
7 of this Section, that any of the aggravating factors  
8 listed in subsection (b) or (b-5) of Section 9-1 of the  
9 Criminal Code of 1961 or the Criminal Code of 2012 are  
10 present, the court may sentence the defendant, subject  
11 to Section 5-4.5-105, to a term of natural life  
12 imprisonment, or

13 (c) the court shall sentence the defendant to a  
14 term of natural life imprisonment if the defendant, at  
15 the time of the commission of the murder, had attained  
16 the age of 18, and

17 (i) has previously been convicted of first  
18 degree murder under any state or federal law, or

19 (ii) is found guilty of murdering more than one  
20 victim, or

21 (iii) is found guilty of murdering a peace  
22 officer, fireman, or emergency management worker  
23 when the peace officer, fireman, or emergency  
24 management worker was killed in the course of  
25 performing his official duties, or to prevent the  
26 peace officer or fireman from performing his

1 official duties, or in retaliation for the peace  
2 officer, fireman, or emergency management worker  
3 from performing his official duties, and the  
4 defendant knew or should have known that the  
5 murdered individual was a peace officer, fireman,  
6 or emergency management worker, or

7 (iv) is found guilty of murdering an employee  
8 of an institution or facility of the Department of  
9 Corrections, or any similar local correctional  
10 agency, when the employee was killed in the course  
11 of performing his official duties, or to prevent  
12 the employee from performing his official duties,  
13 or in retaliation for the employee performing his  
14 official duties, or

15 (v) is found guilty of murdering an emergency  
16 medical technician - ambulance, emergency medical  
17 technician - intermediate, emergency medical  
18 technician - paramedic, ambulance driver or other  
19 medical assistance or first aid person while  
20 employed by a municipality or other governmental  
21 unit when the person was killed in the course of  
22 performing official duties or to prevent the  
23 person from performing official duties or in  
24 retaliation for performing official duties and the  
25 defendant knew or should have known that the  
26 murdered individual was an emergency medical

1 technician - ambulance, emergency medical  
2 technician - intermediate, emergency medical  
3 technician - paramedic, ambulance driver, or other  
4 medical assistant or first aid personnel, or

5 (vi) (blank), or

6 (vii) is found guilty of first degree murder  
7 and the murder was committed by reason of any  
8 person's activity as a community policing  
9 volunteer or to prevent any person from engaging in  
10 activity as a community policing volunteer. For  
11 the purpose of this Section, "community policing  
12 volunteer" has the meaning ascribed to it in  
13 Section 2-3.5 of the Criminal Code of 2012.

14 For purposes of clause (v), "emergency medical  
15 technician - ambulance", "emergency medical technician  
16 - intermediate", "emergency medical technician -  
17 paramedic", have the meanings ascribed to them in the  
18 Emergency Medical Services (EMS) Systems Act.

19 (d) (i) if the person committed the offense while  
20 armed with a firearm, 15 years shall be added to  
21 the term of imprisonment imposed by the court;

22 (ii) if, during the commission of the offense,  
23 the person personally discharged a firearm, 20  
24 years shall be added to the term of imprisonment  
25 imposed by the court;

26 (iii) if, during the commission of the

1 offense, the person personally discharged a  
2 firearm that proximately caused great bodily harm,  
3 permanent disability, permanent disfigurement, or  
4 death to another person, 25 years or up to a term  
5 of natural life shall be added to the term of  
6 imprisonment imposed by the court.

7 (2) (blank);

8 (2.5) for a person who has attained the age of 18 years  
9 at the time of the commission of the offense and who is  
10 convicted under the circumstances described in subdivision  
11 (b) (1) (B) of Section 11-1.20 or paragraph (3) of subsection  
12 (b) of Section 12-13, subdivision (d) (2) of Section 11-1.30  
13 or paragraph (2) of subsection (d) of Section 12-14,  
14 subdivision (b) (1.2) of Section 11-1.40 or paragraph (1.2)  
15 of subsection (b) of Section 12-14.1, subdivision (b) (2) of  
16 Section 11-1.40 or paragraph (2) of subsection (b) of  
17 Section 12-14.1 of the Criminal Code of 1961 or the  
18 Criminal Code of 2012, the sentence shall be a term of  
19 natural life imprisonment.

20 (b) (Blank).

21 (c) (Blank).

22 (d) Subject to earlier termination under Section 3-3-8, the  
23 parole or mandatory supervised release term shall be written as  
24 part of the sentencing order and shall be as follows:

25 (1) for first degree murder or a Class X felony except  
26 for the offenses of predatory criminal sexual assault of a

1 child, aggravated criminal sexual assault, and criminal  
2 sexual assault if committed on or after the effective date  
3 of this amendatory Act of the 94th General Assembly and  
4 except for the offense of aggravated child pornography  
5 under Section 11-20.1B, 11-20.3, or 11-20.1 with  
6 sentencing under subsection (c-5) of Section 11-20.1 of the  
7 Criminal Code of 1961 or the Criminal Code of 2012, if  
8 committed on or after January 1, 2009, 3 years;

9 (2) for a Class 1 felony or a Class 2 felony except for  
10 the offense of criminal sexual assault if committed on or  
11 after the effective date of this amendatory Act of the 94th  
12 General Assembly and except for the offenses of manufacture  
13 and dissemination of child pornography under clauses  
14 (a) (1) and (a) (2) of Section 11-20.1 of the Criminal Code  
15 of 1961 or the Criminal Code of 2012, if committed on or  
16 after January 1, 2009, 2 years;

17 (3) for a Class 3 felony or a Class 4 felony, 1 year;

18 (4) for defendants who commit the offense of predatory  
19 criminal sexual assault of a child, aggravated criminal  
20 sexual assault, or criminal sexual assault, on or after the  
21 effective date of this amendatory Act of the 94th General  
22 Assembly, or who commit the offense of aggravated child  
23 pornography under Section 11-20.1B, 11-20.3, or 11-20.1  
24 with sentencing under subsection (c-5) of Section 11-20.1  
25 of the Criminal Code of 1961 or the Criminal Code of 2012,  
26 manufacture of child pornography, or dissemination of

1 child pornography after January 1, 2009, the term of  
2 mandatory supervised release shall range from a minimum of  
3 3 years to a maximum of the natural life of the defendant;

4 (5) if the victim is under 18 years of age, for a  
5 second or subsequent offense of aggravated criminal sexual  
6 abuse or felony criminal sexual abuse, 4 years, at least  
7 the first 2 years of which the defendant shall serve in an  
8 electronic home detention program under Article 8A of  
9 Chapter V of this Code;

10 (6) for a felony domestic battery, aggravated domestic  
11 battery, stalking, aggravated stalking, and a felony  
12 violation of an order of protection, 4 years.

13 (e) (Blank).

14 (f) (Blank).

15 (Source: P.A. 99-69, eff. 1-1-16; 99-875, eff. 1-1-17.)