

SB1230



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1230

Introduced 2/6/2019, by Sen. Rachelle Crowe

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-6-3

from Ch. 38, par. 1003-6-3

Amends the Unified Code of Corrections. Provides that a prisoner serving a sentence for child pornography as described in specified provisions involving a film, videotape, or other moving depiction or when the child depicted is under the age of 13, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

LRB101 10114 SLF 55217 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 Section 3-6-3 as follows:

6 (730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)

7 Sec. 3-6-3. Rules and regulations for sentence credit.

8 (a) (1) The Department of Corrections shall prescribe rules
9 and regulations for awarding and revoking sentence credit for
10 persons committed to the Department which shall be subject to
11 review by the Prisoner Review Board.

12 (1.5) As otherwise provided by law, sentence credit may be
13 awarded for the following:

14 (A) successful completion of programming while in
15 custody of the Department or while in custody prior to
16 sentencing;

17 (B) compliance with the rules and regulations of the
18 Department; or

19 (C) service to the institution, service to a community,
20 or service to the State.

21 (2) Except as provided in paragraph (4.7) of this
22 subsection (a), the rules and regulations on sentence credit
23 shall provide, with respect to offenses listed in clause (i),

1 (ii), or (iii) of this paragraph (2) committed on or after June
2 19, 1998 or with respect to the offense listed in clause (iv)
3 of this paragraph (2) committed on or after June 23, 2005 (the
4 effective date of Public Act 94-71) or with respect to offense
5 listed in clause (vi) committed on or after June 1, 2008 (the
6 effective date of Public Act 95-625) or with respect to the
7 offense of being an armed habitual criminal committed on or
8 after August 2, 2005 (the effective date of Public Act 94-398)
9 or with respect to the offenses listed in clause (v) of this
10 paragraph (2) committed on or after August 13, 2007 (the
11 effective date of Public Act 95-134) or with respect to the
12 offense of aggravated domestic battery committed on or after
13 July 23, 2010 (the effective date of Public Act 96-1224) or
14 with respect to the offense of attempt to commit terrorism
15 committed on or after January 1, 2013 (the effective date of
16 Public Act 97-990) or with respect to an offense listed in
17 clause (viii) of this paragraph (2) committed on or after the
18 effective date of this amendatory Act of the 101st General
19 Assembly, the following:

20 (i) that a prisoner who is serving a term of
21 imprisonment for first degree murder or for the offense of
22 terrorism shall receive no sentence credit and shall serve
23 the entire sentence imposed by the court;

24 (ii) that a prisoner serving a sentence for attempt to
25 commit terrorism, attempt to commit first degree murder,
26 solicitation of murder, solicitation of murder for hire,

1 intentional homicide of an unborn child, predatory
2 criminal sexual assault of a child, aggravated criminal
3 sexual assault, criminal sexual assault, aggravated
4 kidnapping, aggravated battery with a firearm as described
5 in Section 12-4.2 or subdivision (e) (1), (e) (2), (e) (3), or
6 (e) (4) of Section 12-3.05, heinous battery as described in
7 Section 12-4.1 or subdivision (a) (2) of Section 12-3.05,
8 being an armed habitual criminal, aggravated battery of a
9 senior citizen as described in Section 12-4.6 or
10 subdivision (a) (4) of Section 12-3.05, or aggravated
11 battery of a child as described in Section 12-4.3 or
12 subdivision (b) (1) of Section 12-3.05 shall receive no more
13 than 4.5 days of sentence credit for each month of his or
14 her sentence of imprisonment;

15 (iii) that a prisoner serving a sentence for home
16 invasion, armed robbery, aggravated vehicular hijacking,
17 aggravated discharge of a firearm, or armed violence with a
18 category I weapon or category II weapon, when the court has
19 made and entered a finding, pursuant to subsection (c-1) of
20 Section 5-4-1 of this Code, that the conduct leading to
21 conviction for the enumerated offense resulted in great
22 bodily harm to a victim, shall receive no more than 4.5
23 days of sentence credit for each month of his or her
24 sentence of imprisonment;

25 (iv) that a prisoner serving a sentence for aggravated
26 discharge of a firearm, whether or not the conduct leading

1 to conviction for the offense resulted in great bodily harm
2 to the victim, shall receive no more than 4.5 days of
3 sentence credit for each month of his or her sentence of
4 imprisonment;

5 (v) that a person serving a sentence for gunrunning,
6 narcotics racketeering, controlled substance trafficking,
7 methamphetamine trafficking, drug-induced homicide,
8 aggravated methamphetamine-related child endangerment,
9 money laundering pursuant to clause (c) (4) or (5) of
10 Section 29B-1 of the Criminal Code of 1961 or the Criminal
11 Code of 2012, or a Class X felony conviction for delivery
12 of a controlled substance, possession of a controlled
13 substance with intent to manufacture or deliver,
14 calculated criminal drug conspiracy, criminal drug
15 conspiracy, street gang criminal drug conspiracy,
16 participation in methamphetamine manufacturing, aggravated
17 participation in methamphetamine manufacturing, delivery
18 of methamphetamine, possession with intent to deliver
19 methamphetamine, aggravated delivery of methamphetamine,
20 aggravated possession with intent to deliver
21 methamphetamine, methamphetamine conspiracy when the
22 substance containing the controlled substance or
23 methamphetamine is 100 grams or more shall receive no more
24 than 7.5 days sentence credit for each month of his or her
25 sentence of imprisonment;

26 (vi) that a prisoner serving a sentence for a second or

1 subsequent offense of luring a minor shall receive no more
2 than 4.5 days of sentence credit for each month of his or
3 her sentence of imprisonment; ~~and~~

4 (vii) that a prisoner serving a sentence for aggravated
5 domestic battery shall receive no more than 4.5 days of
6 sentence credit for each month of his or her sentence of
7 imprisonment; and -

8 (viii) that a prisoner serving a sentence for child
9 pornography as described in paragraph (1), (3), (4), (5), or
10 (7) of subsection (a) of Section 11-20.1 of the Criminal
11 Code of 2012 and involving a film, videotape, or other
12 moving depiction or when the child depicted is under the
13 age of 13 and as described in paragraph (1), (2), (3), (4),
14 (5), or (7) of subsection (a) of Section 11-20.1 of the
15 Criminal Code of 2012, shall receive no more than 4.5 days
16 of sentence credit for each month of his or her sentence of
17 imprisonment.

18 (2.1) For all offenses, other than those enumerated in
19 subdivision (a)(2)(i), (ii), or (iii) committed on or after
20 June 19, 1998 or subdivision (a)(2)(iv) committed on or after
21 June 23, 2005 (the effective date of Public Act 94-71) or
22 subdivision (a)(2)(v) committed on or after August 13, 2007
23 (the effective date of Public Act 95-134) or subdivision
24 (a)(2)(vi) committed on or after June 1, 2008 (the effective
25 date of Public Act 95-625) or subdivision (a)(2)(vii) committed
26 on or after July 23, 2010 (the effective date of Public Act

1 96-1224), and other than the offense of aggravated driving
2 under the influence of alcohol, other drug or drugs, or
3 intoxicating compound or compounds, or any combination thereof
4 as defined in subparagraph (F) of paragraph (1) of subsection
5 (d) of Section 11-501 of the Illinois Vehicle Code, and other
6 than the offense of aggravated driving under the influence of
7 alcohol, other drug or drugs, or intoxicating compound or
8 compounds, or any combination thereof as defined in
9 subparagraph (C) of paragraph (1) of subsection (d) of Section
10 11-501 of the Illinois Vehicle Code committed on or after
11 January 1, 2011 (the effective date of Public Act 96-1230), and
12 other than the offenses enumerated in subdivision (a)(2)(viii)
13 committed on or after the effective date of this amendatory Act
14 of the 101st General Assembly, the rules and regulations shall
15 provide that a prisoner who is serving a term of imprisonment
16 shall receive one day of sentence credit for each day of his or
17 her sentence of imprisonment or recommitment under Section
18 3-3-9. Each day of sentence credit shall reduce by one day the
19 prisoner's period of imprisonment or recommitment under
20 Section 3-3-9.

21 (2.2) A prisoner serving a term of natural life
22 imprisonment or a prisoner who has been sentenced to death
23 shall receive no sentence credit.

24 (2.3) Except as provided in paragraph (4.7) of this
25 subsection (a), the rules and regulations on sentence credit
26 shall provide that a prisoner who is serving a sentence for

1 aggravated driving under the influence of alcohol, other drug
2 or drugs, or intoxicating compound or compounds, or any
3 combination thereof as defined in subparagraph (F) of paragraph
4 (1) of subsection (d) of Section 11-501 of the Illinois Vehicle
5 Code, shall receive no more than 4.5 days of sentence credit
6 for each month of his or her sentence of imprisonment.

7 (2.4) Except as provided in paragraph (4.7) of this
8 subsection (a), the rules and regulations on sentence credit
9 shall provide with respect to the offenses of aggravated
10 battery with a machine gun or a firearm equipped with any
11 device or attachment designed or used for silencing the report
12 of a firearm or aggravated discharge of a machine gun or a
13 firearm equipped with any device or attachment designed or used
14 for silencing the report of a firearm, committed on or after
15 July 15, 1999 (the effective date of Public Act 91-121), that a
16 prisoner serving a sentence for any of these offenses shall
17 receive no more than 4.5 days of sentence credit for each month
18 of his or her sentence of imprisonment.

19 (2.5) Except as provided in paragraph (4.7) of this
20 subsection (a), the rules and regulations on sentence credit
21 shall provide that a prisoner who is serving a sentence for
22 aggravated arson committed on or after July 27, 2001 (the
23 effective date of Public Act 92-176) shall receive no more than
24 4.5 days of sentence credit for each month of his or her
25 sentence of imprisonment.

26 (2.6) Except as provided in paragraph (4.7) of this

1 subsection (a), the rules and regulations on sentence credit
2 shall provide that a prisoner who is serving a sentence for
3 aggravated driving under the influence of alcohol, other drug
4 or drugs, or intoxicating compound or compounds or any
5 combination thereof as defined in subparagraph (C) of paragraph
6 (1) of subsection (d) of Section 11-501 of the Illinois Vehicle
7 Code committed on or after January 1, 2011 (the effective date
8 of Public Act 96-1230) shall receive no more than 4.5 days of
9 sentence credit for each month of his or her sentence of
10 imprisonment.

11 (3) In addition to the sentence credits earned under
12 paragraphs (2.1), (4), (4.1), and (4.7) of this subsection (a),
13 the rules and regulations shall also provide that the Director
14 may award up to 180 days of earned sentence credit for good
15 conduct in specific instances as the Director deems proper. The
16 good conduct may include, but is not limited to, compliance
17 with the rules and regulations of the Department, service to
18 the Department, service to a community, or service to the
19 State.

20 Eligible inmates for an award of earned sentence credit
21 under this paragraph (3) may be selected to receive the credit
22 at the Director's or his or her designee's sole discretion.
23 Eligibility for the additional earned sentence credit under
24 this paragraph (3) shall be based on, but is not limited to,
25 the results of any available risk/needs assessment or other
26 relevant assessments or evaluations administered by the

1 Department using a validated instrument, the circumstances of
2 the crime, any history of conviction for a forcible felony
3 enumerated in Section 2-8 of the Criminal Code of 2012, the
4 inmate's behavior and disciplinary history while incarcerated,
5 and the inmate's commitment to rehabilitation, including
6 participation in programming offered by the Department.

7 The Director shall not award sentence credit under this
8 paragraph (3) to an inmate unless the inmate has served a
9 minimum of 60 days of the sentence; except nothing in this
10 paragraph shall be construed to permit the Director to extend
11 an inmate's sentence beyond that which was imposed by the
12 court. Prior to awarding credit under this paragraph (3), the
13 Director shall make a written determination that the inmate:

14 (A) is eligible for the earned sentence credit;

15 (B) has served a minimum of 60 days, or as close to 60
16 days as the sentence will allow;

17 (B-1) has received a risk/needs assessment or other
18 relevant evaluation or assessment administered by the
19 Department using a validated instrument; and

20 (C) has met the eligibility criteria established by
21 rule for earned sentence credit.

22 The Director shall determine the form and content of the
23 written determination required in this subsection.

24 (3.5) The Department shall provide annual written reports
25 to the Governor and the General Assembly on the award of earned
26 sentence credit no later than February 1 of each year. The

1 Department must publish both reports on its website within 48
2 hours of transmitting the reports to the Governor and the
3 General Assembly. The reports must include:

4 (A) the number of inmates awarded earned sentence
5 credit;

6 (B) the average amount of earned sentence credit
7 awarded;

8 (C) the holding offenses of inmates awarded earned
9 sentence credit; and

10 (D) the number of earned sentence credit revocations.

11 (4) Except as provided in paragraph (4.7) of this
12 subsection (a), the rules and regulations shall also provide
13 that the sentence credit accumulated and retained under
14 paragraph (2.1) of subsection (a) of this Section by any inmate
15 during specific periods of time in which such inmate is engaged
16 full-time in substance abuse programs, correctional industry
17 assignments, educational programs, behavior modification
18 programs, life skills courses, or re-entry planning provided by
19 the Department under this paragraph (4) and satisfactorily
20 completes the assigned program as determined by the standards
21 of the Department, shall be multiplied by a factor of 1.25 for
22 program participation before August 11, 1993 and 1.50 for
23 program participation on or after that date. The rules and
24 regulations shall also provide that sentence credit, subject to
25 the same offense limits and multiplier provided in this
26 paragraph, may be provided to an inmate who was held in

1 pre-trial detention prior to his or her current commitment to
2 the Department of Corrections and successfully completed a
3 full-time, 60-day or longer substance abuse program,
4 educational program, behavior modification program, life
5 skills course, or re-entry planning provided by the county
6 department of corrections or county jail. Calculation of this
7 county program credit shall be done at sentencing as provided
8 in Section 5-4.5-100 of this Code and shall be included in the
9 sentencing order. However, no inmate shall be eligible for the
10 additional sentence credit under this paragraph (4) or (4.1) of
11 this subsection (a) while assigned to a boot camp or electronic
12 detention.

13 Educational, vocational, substance abuse, behavior
14 modification programs, life skills courses, re-entry planning,
15 and correctional industry programs under which sentence credit
16 may be increased under this paragraph (4) and paragraph (4.1)
17 of this subsection (a) shall be evaluated by the Department on
18 the basis of documented standards. The Department shall report
19 the results of these evaluations to the Governor and the
20 General Assembly by September 30th of each year. The reports
21 shall include data relating to the recidivism rate among
22 program participants.

23 Availability of these programs shall be subject to the
24 limits of fiscal resources appropriated by the General Assembly
25 for these purposes. Eligible inmates who are denied immediate
26 admission shall be placed on a waiting list under criteria

1 established by the Department. The inability of any inmate to
2 become engaged in any such programs by reason of insufficient
3 program resources or for any other reason established under the
4 rules and regulations of the Department shall not be deemed a
5 cause of action under which the Department or any employee or
6 agent of the Department shall be liable for damages to the
7 inmate.

8 (4.1) Except as provided in paragraph (4.7) of this
9 subsection (a), the rules and regulations shall also provide
10 that an additional 90 days of sentence credit shall be awarded
11 to any prisoner who passes high school equivalency testing
12 while the prisoner is committed to the Department of
13 Corrections. The sentence credit awarded under this paragraph
14 (4.1) shall be in addition to, and shall not affect, the award
15 of sentence credit under any other paragraph of this Section,
16 but shall also be pursuant to the guidelines and restrictions
17 set forth in paragraph (4) of subsection (a) of this Section.
18 The sentence credit provided for in this paragraph shall be
19 available only to those prisoners who have not previously
20 earned a high school diploma or a high school equivalency
21 certificate. If, after an award of the high school equivalency
22 testing sentence credit has been made, the Department
23 determines that the prisoner was not eligible, then the award
24 shall be revoked. The Department may also award 90 days of
25 sentence credit to any committed person who passed high school
26 equivalency testing while he or she was held in pre-trial

1 detention prior to the current commitment to the Department of
2 Corrections.

3 (4.5) The rules and regulations on sentence credit shall
4 also provide that when the court's sentencing order recommends
5 a prisoner for substance abuse treatment and the crime was
6 committed on or after September 1, 2003 (the effective date of
7 Public Act 93-354), the prisoner shall receive no sentence
8 credit awarded under clause (3) of this subsection (a) unless
9 he or she participates in and completes a substance abuse
10 treatment program. The Director may waive the requirement to
11 participate in or complete a substance abuse treatment program
12 in specific instances if the prisoner is not a good candidate
13 for a substance abuse treatment program for medical,
14 programming, or operational reasons. Availability of substance
15 abuse treatment shall be subject to the limits of fiscal
16 resources appropriated by the General Assembly for these
17 purposes. If treatment is not available and the requirement to
18 participate and complete the treatment has not been waived by
19 the Director, the prisoner shall be placed on a waiting list
20 under criteria established by the Department. The Director may
21 allow a prisoner placed on a waiting list to participate in and
22 complete a substance abuse education class or attend substance
23 abuse self-help meetings in lieu of a substance abuse treatment
24 program. A prisoner on a waiting list who is not placed in a
25 substance abuse program prior to release may be eligible for a
26 waiver and receive sentence credit under clause (3) of this

1 subsection (a) at the discretion of the Director.

2 (4.6) The rules and regulations on sentence credit shall
3 also provide that a prisoner who has been convicted of a sex
4 offense as defined in Section 2 of the Sex Offender
5 Registration Act shall receive no sentence credit unless he or
6 she either has successfully completed or is participating in
7 sex offender treatment as defined by the Sex Offender
8 Management Board. However, prisoners who are waiting to receive
9 treatment, but who are unable to do so due solely to the lack
10 of resources on the part of the Department, may, at the
11 Director's sole discretion, be awarded sentence credit at a
12 rate as the Director shall determine.

13 (4.7) On or after the effective date of this amendatory Act
14 of the 100th General Assembly, sentence credit under paragraph
15 (3), (4), or (4.1) of this subsection (a) may be awarded to a
16 prisoner who is serving a sentence for an offense described in
17 paragraph (2), (2.3), (2.4), (2.5), or (2.6) for credit earned
18 on or after the effective date of this amendatory Act of the
19 100th General Assembly; provided, the award of the credits
20 under this paragraph (4.7) shall not reduce the sentence of the
21 prisoner to less than the following amounts:

22 (i) 85% of his or her sentence if the prisoner is
23 required to serve 85% of his or her sentence; or

24 (ii) 60% of his or her sentence if the prisoner is
25 required to serve 75% of his or her sentence, except if the
26 prisoner is serving a sentence for gunrunning his or her

1 sentence shall not be reduced to less than 75%.

2 This paragraph (4.7) shall not apply to a prisoner serving
3 a sentence for an offense described in subparagraph (i) of
4 paragraph (2) of this subsection (a).

5 (5) Whenever the Department is to release any inmate
6 earlier than it otherwise would because of a grant of earned
7 sentence credit under paragraph (3) of subsection (a) of this
8 Section given at any time during the term, the Department shall
9 give reasonable notice of the impending release not less than
10 14 days prior to the date of the release to the State's
11 Attorney of the county where the prosecution of the inmate took
12 place, and if applicable, the State's Attorney of the county
13 into which the inmate will be released. The Department must
14 also make identification information and a recent photo of the
15 inmate being released accessible on the Internet by means of a
16 hyperlink labeled "Community Notification of Inmate Early
17 Release" on the Department's World Wide Web homepage. The
18 identification information shall include the inmate's: name,
19 any known alias, date of birth, physical characteristics,
20 commitment offense and county where conviction was imposed. The
21 identification information shall be placed on the website
22 within 3 days of the inmate's release and the information may
23 not be removed until either: completion of the first year of
24 mandatory supervised release or return of the inmate to custody
25 of the Department.

26 (b) Whenever a person is or has been committed under

1 several convictions, with separate sentences, the sentences
2 shall be construed under Section 5-8-4 in granting and
3 forfeiting of sentence credit.

4 (c) The Department shall prescribe rules and regulations
5 for revoking sentence credit, including revoking sentence
6 credit awarded under paragraph (3) of subsection (a) of this
7 Section. The Department shall prescribe rules and regulations
8 for suspending or reducing the rate of accumulation of sentence
9 credit for specific rule violations, during imprisonment.
10 These rules and regulations shall provide that no inmate may be
11 penalized more than one year of sentence credit for any one
12 infraction.

13 When the Department seeks to revoke, suspend or reduce the
14 rate of accumulation of any sentence credits for an alleged
15 infraction of its rules, it shall bring charges therefor
16 against the prisoner sought to be so deprived of sentence
17 credits before the Prisoner Review Board as provided in
18 subparagraph (a)(4) of Section 3-3-2 of this Code, if the
19 amount of credit at issue exceeds 30 days or when during any 12
20 month period, the cumulative amount of credit revoked exceeds
21 30 days except where the infraction is committed or discovered
22 within 60 days of scheduled release. In those cases, the
23 Department of Corrections may revoke up to 30 days of sentence
24 credit. The Board may subsequently approve the revocation of
25 additional sentence credit, if the Department seeks to revoke
26 sentence credit in excess of 30 days. However, the Board shall

1 not be empowered to review the Department's decision with
2 respect to the loss of 30 days of sentence credit within any
3 calendar year for any prisoner or to increase any penalty
4 beyond the length requested by the Department.

5 The Director of the Department of Corrections, in
6 appropriate cases, may restore up to 30 days of sentence
7 credits which have been revoked, suspended or reduced. Any
8 restoration of sentence credits in excess of 30 days shall be
9 subject to review by the Prisoner Review Board. However, the
10 Board may not restore sentence credit in excess of the amount
11 requested by the Director.

12 Nothing contained in this Section shall prohibit the
13 Prisoner Review Board from ordering, pursuant to Section
14 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the
15 sentence imposed by the court that was not served due to the
16 accumulation of sentence credit.

17 (d) If a lawsuit is filed by a prisoner in an Illinois or
18 federal court against the State, the Department of Corrections,
19 or the Prisoner Review Board, or against any of their officers
20 or employees, and the court makes a specific finding that a
21 pleading, motion, or other paper filed by the prisoner is
22 frivolous, the Department of Corrections shall conduct a
23 hearing to revoke up to 180 days of sentence credit by bringing
24 charges against the prisoner sought to be deprived of the
25 sentence credits before the Prisoner Review Board as provided
26 in subparagraph (a)(8) of Section 3-3-2 of this Code. If the

1 prisoner has not accumulated 180 days of sentence credit at the
2 time of the finding, then the Prisoner Review Board may revoke
3 all sentence credit accumulated by the prisoner.

4 For purposes of this subsection (d):

5 (1) "Frivolous" means that a pleading, motion, or other
6 filing which purports to be a legal document filed by a
7 prisoner in his or her lawsuit meets any or all of the
8 following criteria:

9 (A) it lacks an arguable basis either in law or in
10 fact;

11 (B) it is being presented for any improper purpose,
12 such as to harass or to cause unnecessary delay or
13 needless increase in the cost of litigation;

14 (C) the claims, defenses, and other legal
15 contentions therein are not warranted by existing law
16 or by a nonfrivolous argument for the extension,
17 modification, or reversal of existing law or the
18 establishment of new law;

19 (D) the allegations and other factual contentions
20 do not have evidentiary support or, if specifically so
21 identified, are not likely to have evidentiary support
22 after a reasonable opportunity for further
23 investigation or discovery; or

24 (E) the denials of factual contentions are not
25 warranted on the evidence, or if specifically so
26 identified, are not reasonably based on a lack of

1 information or belief.

2 (2) "Lawsuit" means a motion pursuant to Section 116-3
3 of the Code of Criminal Procedure of 1963, a habeas corpus
4 action under Article X of the Code of Civil Procedure or
5 under federal law (28 U.S.C. 2254), a petition for claim
6 under the Court of Claims Act, an action under the federal
7 Civil Rights Act (42 U.S.C. 1983), or a second or
8 subsequent petition for post-conviction relief under
9 Article 122 of the Code of Criminal Procedure of 1963
10 whether filed with or without leave of court or a second or
11 subsequent petition for relief from judgment under Section
12 2-1401 of the Code of Civil Procedure.

13 (e) Nothing in Public Act 90-592 or 90-593 affects the
14 validity of Public Act 89-404.

15 (f) Whenever the Department is to release any inmate who
16 has been convicted of a violation of an order of protection
17 under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or
18 the Criminal Code of 2012, earlier than it otherwise would
19 because of a grant of sentence credit, the Department, as a
20 condition of release, shall require that the person, upon
21 release, be placed under electronic surveillance as provided in
22 Section 5-8A-7 of this Code.

23 (Source: P.A. 99-241, eff. 1-1-16; 99-275, eff. 1-1-16; 99-642,
24 eff. 7-28-16; 99-938, eff. 1-1-18; 100-3, eff. 1-1-18; 100-575,
25 eff. 1-8-18.)