



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4807

Introduced 1/27/2022, by Rep. Steven Reick

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-0.5 new	
720 ILCS 5/24-1.1	from Ch. 38, par. 24-1.1
720 ILCS 5/24-1.8	
720 ILCS 5/24-3	from Ch. 38, par. 24-3
730 ILCS 5/5-5-3	

Amends the Criminal Code of 2012. Enhances the penalties for unlawful use or possession of weapons by felons, unlawful possession of a firearm by a street gang member, and unlawful sale or delivery of firearms when the violation involves a machine gun or a firearm with a large capacity ammunition feeding device. Defines "large capacity ammunition feeding device" and "machine gun", and "streetgang member". Provides that a person also commits unlawful sale or delivery of firearms when the person knowingly: (1) sells or gives a firearm to a person who has been convicted of a felony or who is a streetgang member or (2) sells or gives a firearm that has been purchased or acquired out of state to a person who has been convicted of a felony or who is a streetgang member. Amends the Unified Code of Corrections. Provides that a period of probation, a term of periodic imprisonment, or conditional discharge shall not be imposed for a second or subsequent conviction for unlawful sale or delivery of firearms when the offense involved a person knowingly: (1) selling or giving a firearm to a person who has been convicted of a felony or who is a streetgang member or (2) selling or giving a firearm that has been purchased or acquired out of state to a person who has been convicted of a felony or who is a streetgang member.

LRB102 23821 RLC 35223 b

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 Criminal Code of 2012 is amended by
5 changing Sections 24-1.1, 24-1.8, and 24-3 and by adding
6 Section 24-0.5 as follows:

7 (720 ILCS 5/24-0.5 new)

8 Sec. 24-0.5. Definition. In Sections 24-1.1, 24-1.8, and
9 24-3:

10 "Large capacity ammunition feeding device" means:

11 (1) a magazine, belt, drum, feed strip, or similar device
12 that has a capacity of, or that can be readily restored or
13 converted to accept, 30 rounds or more of ammunition; or

14 (2) any combination of parts from which a device described
15 in paragraph (1) can be assembled.

16 "Large capacity ammunition feeding device" does not
17 include an attached tubular device designed to accept, and
18 capable of operating only with, .22 caliber rimfire ammunition
19 or a feeding device that has been permanently altered so that
20 it cannot accommodate 30 rounds or more. "Large capacity
21 ammunition feeding device" does not include a tubular magazine
22 that is contained in a lever-action firearm or any device that
23 has been made permanently inoperable.

1 "Machine gun" means any weapon that shoots, is designed to
2 shoot, or can be readily restored to shoot, automatically more
3 than one shot without manually reloading by a single function
4 of the trigger, including the frame or receiver of any such
5 weapon, or any combination of parts designed or intended for
6 use in converting any weapon into a machine gun, or any
7 combination or parts from which a machine gun can be assembled
8 if such parts are in the possession or under the control of a
9 person.

10 (720 ILCS 5/24-1.1) (from Ch. 38, par. 24-1.1)

11 Sec. 24-1.1. Unlawful use or possession of weapons by
12 felons or persons in the custody of the Department of
13 Corrections facilities.

14 (a) It is unlawful for a person to knowingly possess on or
15 about his person or on his land or in his own abode or fixed
16 place of business any weapon prohibited under Section 24-1 of
17 this Act or any firearm or any firearm ammunition if the person
18 has been convicted of a felony under the laws of this State or
19 any other jurisdiction. This Section shall not apply if the
20 person has been granted relief by the Director of the Illinois
21 State Police under Section 10 of the Firearm Owners
22 Identification Card Act.

23 (b) It is unlawful for any person confined in a penal
24 institution, which is a facility of the Illinois Department of
25 Corrections, to possess any weapon prohibited under Section

1 24-1 of this Code or any firearm or firearm ammunition,
2 regardless of the intent with which he possesses it.

3 (c) It shall be an affirmative defense to a violation of
4 subsection (b), that such possession was specifically
5 authorized by rule, regulation, or directive of the Illinois
6 Department of Corrections or order issued pursuant thereto.

7 (d) The defense of necessity is not available to a person
8 who is charged with a violation of subsection (b) of this
9 Section.

10 (e) Sentence. Violation of this Section by a person not
11 confined in a penal institution shall be a Class 3 felony for
12 which the person shall be sentenced to no less than 2 years and
13 no more than 10 years. A second or subsequent violation of this
14 Section shall be a Class 2 felony for which the person shall be
15 sentenced to a term of imprisonment of not less than 3 years
16 and not more than 14 years, except as provided for in Section
17 5-4.5-110 of the Unified Code of Corrections. Violation of
18 this Section by a person not confined in a penal institution
19 who has been convicted of a forcible felony, a felony
20 violation of Article 24 of this Code or of the Firearm Owners
21 Identification Card Act, stalking or aggravated stalking, or a
22 Class 2 or greater felony under the Illinois Controlled
23 Substances Act, the Cannabis Control Act, or the
24 Methamphetamine Control and Community Protection Act is a
25 Class 2 felony for which the person shall be sentenced to not
26 less than 3 years and not more than 14 years, except as

1 provided for in Section 5-4.5-110 of the Unified Code of
2 Corrections. Violation of this Section by a person who is on
3 parole or mandatory supervised release is a Class 2 felony for
4 which the person shall be sentenced to not less than 3 years
5 and not more than 14 years, except as provided for in Section
6 5-4.5-110 of the Unified Code of Corrections. Violation of
7 this Section by a person not confined in a penal institution is
8 a Class X felony when the firearm possessed is a machine gun
9 for which the person shall be sentenced to not less than 6
10 years and not more than 30 years. Any person who violates this
11 Section while confined in a penal institution, which is a
12 facility of the Illinois Department of Corrections, is guilty
13 of a Class 1 felony, if he possesses any weapon prohibited
14 under Section 24-1 of this Code regardless of the intent with
15 which he possesses it, a Class X felony if he possesses any
16 firearm, firearm ammunition or explosive, and a Class X felony
17 for which the offender shall be sentenced to not less than 12
18 years and not more than 50 years when the firearm possessed is
19 a machine gun. Violation of this Section by a person not
20 confined in a penal institution when the firearm possessed
21 includes a large capacity ammunition feeding device is a Class
22 1 felony for which the person shall be sentenced to not less
23 than 4 years and not more than 15 years. A violation of this
24 Section while wearing or in possession of body armor as
25 defined in Section 33F-1 is a Class X felony punishable by a
26 term of imprisonment of not less than 10 years and not more

1 than 40 years. The possession of each firearm or firearm
2 ammunition in violation of this Section constitutes a single
3 and separate violation.

4 (Source: P.A. 102-538, eff. 8-20-21.)

5 (720 ILCS 5/24-1.8)

6 Sec. 24-1.8. Unlawful possession of a firearm by a street
7 gang member.

8 (a) A person commits unlawful possession of a firearm by a
9 street gang member when he or she knowingly:

10 (1) possesses, carries, or conceals on or about his or
11 her person a firearm and firearm ammunition while on any
12 street, road, alley, gangway, sidewalk, or any other
13 lands, except when inside his or her own abode or inside
14 his or her fixed place of business, and has not been issued
15 a currently valid Firearm Owner's Identification Card and
16 is a member of a street gang; or

17 (2) possesses or carries in any vehicle a firearm and
18 firearm ammunition which are both immediately accessible
19 at the time of the offense while on any street, road,
20 alley, or any other lands, except when inside his or her
21 own abode or garage, and has not been issued a currently
22 valid Firearm Owner's Identification Card and is a member
23 of a street gang.

24 (b) Unlawful possession of a firearm by a street gang
25 member is a Class 2 felony for which the person, if sentenced

1 to a term of imprisonment, shall be sentenced to no less than 3
2 years and no more than 10 years. Unlawful possession of a
3 firearm by a street gang member when the firearm possessed
4 includes a large capacity ammunition feeding device is a Class
5 1 felony for which the person shall be sentenced to no less
6 than 4 years and no more than 15 years. Unlawful possession of
7 a firearm by a street gang member when the firearm is a machine
8 gun is a Class X felony for which the person shall be sentenced
9 to no less than 6 years and no more than 30 years. A period of
10 probation, a term of periodic imprisonment or conditional
11 discharge shall not be imposed for the offense of unlawful
12 possession of a firearm by a street gang member when the
13 firearm was loaded or contained firearm ammunition and the
14 court shall sentence the offender to not less than the minimum
15 term of imprisonment authorized for the Class 2 felony.

16 (c) For purposes of this Section:

17 "Street gang" or "gang" has the meaning ascribed to it
18 in Section 10 of the Illinois Streetgang Terrorism Omnibus
19 Prevention Act.

20 "Street gang member" or "gang member" has the meaning
21 ascribed to it in Section 10 of the Illinois Streetgang
22 Terrorism Omnibus Prevention Act.

23 (Source: P.A. 96-829, eff. 12-3-09.)

24 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

25 Sec. 24-3. Unlawful sale or delivery of firearms.

1 (A) A person commits the offense of unlawful sale or
2 delivery of firearms when he or she knowingly does any of the
3 following:

4 (a) Sells or gives any firearm of a size which may be
5 concealed upon the person to any person under 18 years of
6 age.

7 (b) Sells or gives any firearm to a person under 21
8 years of age who has been convicted of a misdemeanor other
9 than a traffic offense or adjudged delinquent.

10 (c) Sells or gives any firearm to any narcotic addict.

11 (d) Sells or gives any firearm to any person who has
12 been convicted of a felony under the laws of this or any
13 other jurisdiction.

14 (e) Sells or gives any firearm to any person who has
15 been a patient in a mental institution within the past 5
16 years. In this subsection (e):

17 "Mental institution" means any hospital,
18 institution, clinic, evaluation facility, mental
19 health center, or part thereof, which is used
20 primarily for the care or treatment of persons with
21 mental illness.

22 "Patient in a mental institution" means the person
23 was admitted, either voluntarily or involuntarily, to
24 a mental institution for mental health treatment,
25 unless the treatment was voluntary and solely for an
26 alcohol abuse disorder and no other secondary

1 substance abuse disorder or mental illness.

2 (f) Sells or gives any firearms to any person who is a
3 person with an intellectual disability.

4 (g) Delivers any firearm, incidental to a sale,
5 without withholding delivery of the firearm for at least
6 72 hours after application for its purchase has been made,
7 or delivers a stun gun or taser, incidental to a sale,
8 without withholding delivery of the stun gun or taser for
9 at least 24 hours after application for its purchase has
10 been made. However, this paragraph (g) does not apply to:

11 (1) the sale of a firearm to a law enforcement officer if
12 the seller of the firearm knows that the person to whom he
13 or she is selling the firearm is a law enforcement officer
14 or the sale of a firearm to a person who desires to
15 purchase a firearm for use in promoting the public
16 interest incident to his or her employment as a bank
17 guard, armed truck guard, or other similar employment; (2)
18 a mail order sale of a firearm from a federally licensed
19 firearms dealer to a nonresident of Illinois under which
20 the firearm is mailed to a federally licensed firearms
21 dealer outside the boundaries of Illinois; (3) (blank);
22 (4) the sale of a firearm to a dealer licensed as a federal
23 firearms dealer under Section 923 of the federal Gun
24 Control Act of 1968 (18 U.S.C. 923); or (5) the transfer or
25 sale of any rifle, shotgun, or other long gun to a resident
26 registered competitor or attendee or non-resident

1 registered competitor or attendee by any dealer licensed
2 as a federal firearms dealer under Section 923 of the
3 federal Gun Control Act of 1968 at competitive shooting
4 events held at the World Shooting Complex sanctioned by a
5 national governing body. For purposes of transfers or
6 sales under subparagraph (5) of this paragraph (g), the
7 Department of Natural Resources shall give notice to the
8 Illinois State Police at least 30 calendar days prior to
9 any competitive shooting events at the World Shooting
10 Complex sanctioned by a national governing body. The
11 notification shall be made on a form prescribed by the
12 Illinois State Police. The sanctioning body shall provide
13 a list of all registered competitors and attendees at
14 least 24 hours before the events to the Illinois State
15 Police. Any changes to the list of registered competitors
16 and attendees shall be forwarded to the Illinois State
17 Police as soon as practicable. The Illinois State Police
18 must destroy the list of registered competitors and
19 attendees no later than 30 days after the date of the
20 event. Nothing in this paragraph (g) relieves a federally
21 licensed firearm dealer from the requirements of
22 conducting a NICS background check through the Illinois
23 Point of Contact under 18 U.S.C. 922(t). For purposes of
24 this paragraph (g), "application" means when the buyer and
25 seller reach an agreement to purchase a firearm. For
26 purposes of this paragraph (g), "national governing body"

1 means a group of persons who adopt rules and formulate
2 policy on behalf of a national firearm sporting
3 organization.

4 (h) While holding any license as a dealer, importer,
5 manufacturer or pawnbroker under the federal Gun Control
6 Act of 1968, manufactures, sells or delivers to any
7 unlicensed person a handgun having a barrel, slide, frame
8 or receiver which is a die casting of zinc alloy or any
9 other nonhomogeneous metal which will melt or deform at a
10 temperature of less than 800 degrees Fahrenheit. For
11 purposes of this paragraph, (1) "firearm" is defined as in
12 the Firearm Owners Identification Card Act; and (2)
13 "handgun" is defined as a firearm designed to be held and
14 fired by the use of a single hand, and includes a
15 combination of parts from which such a firearm can be
16 assembled.

17 (i) Sells or gives a firearm of any size to any person
18 under 18 years of age who does not possess a valid Firearm
19 Owner's Identification Card.

20 (j) Sells or gives a firearm while engaged in the
21 business of selling firearms at wholesale or retail
22 without being licensed as a federal firearms dealer under
23 Section 923 of the federal Gun Control Act of 1968 (18
24 U.S.C. 923). In this paragraph (j):

25 A person "engaged in the business" means a person who
26 devotes time, attention, and labor to engaging in the

1 activity as a regular course of trade or business with the
2 principal objective of livelihood and profit, but does not
3 include a person who makes occasional repairs of firearms
4 or who occasionally fits special barrels, stocks, or
5 trigger mechanisms to firearms.

6 "With the principal objective of livelihood and
7 profit" means that the intent underlying the sale or
8 disposition of firearms is predominantly one of obtaining
9 livelihood and pecuniary gain, as opposed to other
10 intents, such as improving or liquidating a personal
11 firearms collection; however, proof of profit shall not be
12 required as to a person who engages in the regular and
13 repetitive purchase and disposition of firearms for
14 criminal purposes or terrorism.

15 (k) Sells or transfers ownership of a firearm to a
16 person who does not display to the seller or transferor of
17 the firearm either: (1) a currently valid Firearm Owner's
18 Identification Card that has previously been issued in the
19 transferee's name by the Illinois State Police under the
20 provisions of the Firearm Owners Identification Card Act;
21 or (2) a currently valid license to carry a concealed
22 firearm that has previously been issued in the
23 transferee's name by the Illinois State Police under the
24 Firearm Concealed Carry Act. This paragraph (k) does not
25 apply to the transfer of a firearm to a person who is
26 exempt from the requirement of possessing a Firearm

1 Owner's Identification Card under Section 2 of the Firearm
2 Owners Identification Card Act. For the purposes of this
3 Section, a currently valid Firearm Owner's Identification
4 Card or license to carry a concealed firearm means receipt
5 of an approval number issued in accordance with subsection
6 (a-10) of Section ~~subsection~~ 3 or Section 3.1 of the
7 Firearm Owners Identification Card Act.

8 (1) In addition to the other requirements of this
9 paragraph (k), all persons who are not federally
10 licensed firearms dealers must also have complied with
11 subsection (a-10) of Section 3 of the Firearm Owners
12 Identification Card Act by determining the validity of
13 a purchaser's Firearm Owner's Identification Card.

14 (2) All sellers or transferors who have complied
15 with the requirements of subparagraph (1) of this
16 paragraph (k) shall not be liable for damages in any
17 civil action arising from the use or misuse by the
18 transferee of the firearm transferred, except for
19 willful or wanton misconduct on the part of the seller
20 or transferor.

21 (1) Not being entitled to the possession of a firearm,
22 delivers the firearm, knowing it to have been stolen or
23 converted. It may be inferred that a person who possesses
24 a firearm with knowledge that its serial number has been
25 removed or altered has knowledge that the firearm is
26 stolen or converted.

1 (B) Paragraph (h) of subsection (A) does not include
2 firearms sold within 6 months after enactment of Public Act
3 78-355 (approved August 21, 1973, effective October 1, 1973),
4 nor is any firearm legally owned or possessed by any citizen or
5 purchased by any citizen within 6 months after the enactment
6 of Public Act 78-355 subject to confiscation or seizure under
7 the provisions of that Public Act. Nothing in Public Act
8 78-355 shall be construed to prohibit the gift or trade of any
9 firearm if that firearm was legally held or acquired within 6
10 months after the enactment of that Public Act.

11 (m) Sells or gives a firearm to a person who has been
12 convicted of a felony or who is a streetgang member.

13 (n) Sells or gives a firearm that has been purchased
14 or acquired out of state to a person who has been convicted
15 of a felony or who is a streetgang member.

16 (C) Sentence.

17 (1) Any person convicted of unlawful sale or delivery
18 of firearms in violation of paragraph (c), (e), (f), (g),
19 or (h) of subsection (A) commits a Class 4 felony.

20 (2) Any person convicted of unlawful sale or delivery
21 of firearms in violation of paragraph (b) or (i) of
22 subsection (A) commits a Class 3 felony.

23 (3) Any person convicted of unlawful sale or delivery
24 of firearms in violation of paragraph (a) of subsection
25 (A) commits a Class 2 felony.

26 (4) Any person convicted of unlawful sale or delivery

1 of firearms in violation of paragraph (a), (b), or (i) of
2 subsection (A) in any school, on the real property
3 comprising a school, within 1,000 feet of the real
4 property comprising a school, at a school related
5 activity, or on or within 1,000 feet of any conveyance
6 owned, leased, or contracted by a school or school
7 district to transport students to or from school or a
8 school related activity, regardless of the time of day or
9 time of year at which the offense was committed, commits a
10 Class 1 felony. Any person convicted of a second or
11 subsequent violation of unlawful sale or delivery of
12 firearms in violation of paragraph (a), (b), or (i) of
13 subsection (A) in any school, on the real property
14 comprising a school, within 1,000 feet of the real
15 property comprising a school, at a school related
16 activity, or on or within 1,000 feet of any conveyance
17 owned, leased, or contracted by a school or school
18 district to transport students to or from school or a
19 school related activity, regardless of the time of day or
20 time of year at which the offense was committed, commits a
21 Class 1 felony for which the sentence shall be a term of
22 imprisonment of no less than 5 years and no more than 15
23 years.

24 (5) Any person convicted of unlawful sale or delivery
25 of firearms in violation of paragraph (a) or (i) of
26 subsection (A) in residential property owned, operated, or

1 managed by a public housing agency or leased by a public
2 housing agency as part of a scattered site or mixed-income
3 development, in a public park, in a courthouse, on
4 residential property owned, operated, or managed by a
5 public housing agency or leased by a public housing agency
6 as part of a scattered site or mixed-income development,
7 on the real property comprising any public park, on the
8 real property comprising any courthouse, or on any public
9 way within 1,000 feet of the real property comprising any
10 public park, courthouse, or residential property owned,
11 operated, or managed by a public housing agency or leased
12 by a public housing agency as part of a scattered site or
13 mixed-income development commits a Class 2 felony.

14 (6) Any person convicted of unlawful sale or delivery
15 of firearms in violation of paragraph (j) of subsection
16 (A) commits a Class A misdemeanor. A second or subsequent
17 violation is a Class 4 felony.

18 (7) Any person convicted of unlawful sale or delivery
19 of firearms in violation of paragraph (k) of subsection
20 (A) commits a Class 4 felony, except that a violation of
21 subparagraph (1) of paragraph (k) of subsection (A) shall
22 not be punishable as a crime or petty offense. A third or
23 subsequent conviction for a violation of paragraph (k) of
24 subsection (A) is a Class 1 felony.

25 (8) A person 18 years of age or older convicted of
26 unlawful sale or delivery of firearms in violation of

1 paragraph (a) or (i) of subsection (A), when the firearm
2 that was sold or given to another person under 18 years of
3 age was used in the commission of or attempt to commit a
4 forcible felony, shall be fined or imprisoned, or both,
5 not to exceed the maximum provided for the most serious
6 forcible felony so committed or attempted by the person
7 under 18 years of age who was sold or given the firearm.

8 (9) Any person convicted of unlawful sale or delivery
9 of firearms in violation of paragraph (d) of subsection
10 (A) commits a Class 3 felony.

11 (10) Any person convicted of unlawful sale or delivery
12 of firearms in violation of paragraph (l) of subsection
13 (A) commits a Class 2 felony if the delivery is of one
14 firearm. Any person convicted of unlawful sale or delivery
15 of firearms in violation of paragraph (l) of subsection
16 (A) commits a Class 1 felony if the delivery is of not less
17 than 2 and not more than 5 firearms at the same time or
18 within a one-year ~~one-year~~ period. Any person convicted of
19 unlawful sale or delivery of firearms in violation of
20 paragraph (l) of subsection (A) commits a Class X felony
21 for which he or she shall be sentenced to a term of
22 imprisonment of not less than 6 years and not more than 30
23 years if the delivery is of not less than 6 and not more
24 than 10 firearms at the same time or within a 2-year ~~2-year~~
25 period. Any person convicted of unlawful sale or delivery
26 of firearms in violation of paragraph (l) of subsection

1 (A) commits a Class X felony for which he or she shall be
2 sentenced to a term of imprisonment of not less than 6
3 years and not more than 40 years if the delivery is of not
4 less than 11 and not more than 20 firearms at the same time
5 or within a 3-year ~~3-year~~ period. Any person convicted of
6 unlawful sale or delivery of firearms in violation of
7 paragraph (l) of subsection (A) commits a Class X felony
8 for which he or she shall be sentenced to a term of
9 imprisonment of not less than 6 years and not more than 50
10 years if the delivery is of not less than 21 and not more
11 than 30 firearms at the same time or within a 4-year ~~4-year~~
12 period. Any person convicted of unlawful sale or delivery
13 of firearms in violation of paragraph (l) of subsection
14 (A) commits a Class X felony for which he or she shall be
15 sentenced to a term of imprisonment of not less than 6
16 years and not more than 60 years if the delivery is of 31
17 or more firearms at the same time or within a 5-year ~~5-year~~
18 period.

19 (11) Any person convicted of unlawful sale or delivery
20 of firearms in violation of paragraph (m) of subsection
21 (A) commits a Class 2 felony.

22 (12) Any person convicted of unlawful sale or delivery
23 of firearms in violation of paragraph (n) of subsection
24 (A) commits a Class 2 felony.

25 (D) For purposes of this Section:

26 "School" means a public or private elementary or secondary

1 school, community college, college, or university.

2 "School related activity" means any sporting, social,
3 academic, or other activity for which students' attendance or
4 participation is sponsored, organized, or funded in whole or
5 in part by a school or school district.

6 "Streetgang" or "gang" has the meaning ascribed to it in
7 Section 10 of the Illinois Streetgang Terrorism Omnibus
8 Prevention Act.

9 "Streetgang member" or "gang member" has the meaning
10 ascribed to it in Section 10 of the Illinois Streetgang
11 Terrorism Omnibus Prevention Act.

12 (E) A prosecution for a violation of paragraph (k) of
13 subsection (A) of this Section may be commenced within 6 years
14 after the commission of the offense. A prosecution for a
15 violation of this Section other than paragraph (g) of
16 subsection (A) of this Section may be commenced within 5 years
17 after the commission of the offense defined in the particular
18 paragraph.

19 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
20 revised 10-12-21.)

21 Section 10. The Unified Code of Corrections is amended by
22 changing Section 5-5-3 as follows:

23 (730 ILCS 5/5-5-3)

24 Sec. 5-5-3. Disposition.

1 (a) (Blank).

2 (b) (Blank).

3 (c) (1) (Blank).

4 (2) A period of probation, a term of periodic imprisonment
5 or conditional discharge shall not be imposed for the
6 following offenses. The court shall sentence the offender to
7 not less than the minimum term of imprisonment set forth in
8 this Code for the following offenses, and may order a fine or
9 restitution or both in conjunction with such term of
10 imprisonment:

11 (A) First degree murder where the death penalty is not
12 imposed.

13 (B) Attempted first degree murder.

14 (C) A Class X felony.

15 (D) A violation of Section 401.1 or 407 of the
16 Illinois Controlled Substances Act, or a violation of
17 subdivision (c)(1.5) of Section 401 of that Act which
18 relates to more than 5 grams of a substance containing
19 fentanyl or an analog thereof.

20 (D-5) A violation of subdivision (c)(1) of Section 401
21 of the Illinois Controlled Substances Act which relates to
22 3 or more grams of a substance containing heroin or an
23 analog thereof.

24 (E) (Blank).

25 (F) A Class 1 or greater felony if the offender had
26 been convicted of a Class 1 or greater felony, including

1 any state or federal conviction for an offense that
2 contained, at the time it was committed, the same elements
3 as an offense now (the date of the offense committed after
4 the prior Class 1 or greater felony) classified as a Class
5 1 or greater felony, within 10 years of the date on which
6 the offender committed the offense for which he or she is
7 being sentenced, except as otherwise provided in Section
8 40-10 of the Substance Use Disorder Act.

9 (F-3) A Class 2 or greater felony sex offense or
10 felony firearm offense if the offender had been convicted
11 of a Class 2 or greater felony, including any state or
12 federal conviction for an offense that contained, at the
13 time it was committed, the same elements as an offense now
14 (the date of the offense committed after the prior Class 2
15 or greater felony) classified as a Class 2 or greater
16 felony, within 10 years of the date on which the offender
17 committed the offense for which he or she is being
18 sentenced, except as otherwise provided in Section 40-10
19 of the Substance Use Disorder Act.

20 (F-5) A violation of Section 24-1, 24-1.1, or 24-1.6
21 of the Criminal Code of 1961 or the Criminal Code of 2012
22 for which imprisonment is prescribed in those Sections.

23 (G) Residential burglary, except as otherwise provided
24 in Section 40-10 of the Substance Use Disorder Act.

25 (H) Criminal sexual assault.

26 (I) Aggravated battery of a senior citizen as

1 described in Section 12-4.6 or subdivision (a)(4) of
2 Section 12-3.05 of the Criminal Code of 1961 or the
3 Criminal Code of 2012.

4 (J) A forcible felony if the offense was related to
5 the activities of an organized gang.

6 Before July 1, 1994, for the purposes of this
7 paragraph, "organized gang" means an association of 5 or
8 more persons, with an established hierarchy, that
9 encourages members of the association to perpetrate crimes
10 or provides support to the members of the association who
11 do commit crimes.

12 Beginning July 1, 1994, for the purposes of this
13 paragraph, "organized gang" has the meaning ascribed to it
14 in Section 10 of the Illinois Streetgang Terrorism Omnibus
15 Prevention Act.

16 (K) Vehicular hijacking.

17 (L) A second or subsequent conviction for the offense
18 of hate crime when the underlying offense upon which the
19 hate crime is based is felony aggravated assault or felony
20 mob action.

21 (M) A second or subsequent conviction for the offense
22 of institutional vandalism if the damage to the property
23 exceeds \$300.

24 (N) A Class 3 felony violation of paragraph (1) of
25 subsection (a) of Section 2 of the Firearm Owners
26 Identification Card Act.

1 (O) A violation of Section 12-6.1 or 12-6.5 of the
2 Criminal Code of 1961 or the Criminal Code of 2012.

3 (P) A violation of paragraph (1), (2), (3), (4), (5),
4 or (7) of subsection (a) of Section 11-20.1 of the
5 Criminal Code of 1961 or the Criminal Code of 2012.

6 (P-5) A violation of paragraph (6) of subsection (a)
7 of Section 11-20.1 of the Criminal Code of 1961 or the
8 Criminal Code of 2012 if the victim is a household or
9 family member of the defendant.

10 (Q) A violation of subsection (b) or (b-5) of Section
11 20-1, Section 20-1.2, or Section 20-1.3 of the Criminal
12 Code of 1961 or the Criminal Code of 2012.

13 (R) A violation of Section 24-3A of the Criminal Code
14 of 1961 or the Criminal Code of 2012.

15 (S) (Blank).

16 (T) (Blank).

17 (U) A second or subsequent violation of Section 6-303
18 of the Illinois Vehicle Code committed while his or her
19 driver's license, permit, or privilege was revoked because
20 of a violation of Section 9-3 of the Criminal Code of 1961
21 or the Criminal Code of 2012, relating to the offense of
22 reckless homicide, or a similar provision of a law of
23 another state.

24 (V) A violation of paragraph (4) of subsection (c) of
25 Section 11-20.1B or paragraph (4) of subsection (c) of
26 Section 11-20.3 of the Criminal Code of 1961, or paragraph

1 (6) of subsection (a) of Section 11-20.1 of the Criminal
2 Code of 2012 when the victim is under 13 years of age and
3 the defendant has previously been convicted under the laws
4 of this State or any other state of the offense of child
5 pornography, aggravated child pornography, aggravated
6 criminal sexual abuse, aggravated criminal sexual assault,
7 predatory criminal sexual assault of a child, or any of
8 the offenses formerly known as rape, deviate sexual
9 assault, indecent liberties with a child, or aggravated
10 indecent liberties with a child where the victim was under
11 the age of 18 years or an offense that is substantially
12 equivalent to those offenses.

13 (W) A violation of Section 24-3.5 of the Criminal Code
14 of 1961 or the Criminal Code of 2012.

15 (X) A violation of subsection (a) of Section 31-1a of
16 the Criminal Code of 1961 or the Criminal Code of 2012.

17 (Y) A conviction for unlawful possession of a firearm
18 by a street gang member when the firearm was loaded or
19 contained firearm ammunition.

20 (Z) A Class 1 felony committed while he or she was
21 serving a term of probation or conditional discharge for a
22 felony.

23 (AA) Theft of property exceeding \$500,000 and not
24 exceeding \$1,000,000 in value.

25 (BB) Laundering of criminally derived property of a
26 value exceeding \$500,000.

1 (CC) Knowingly selling, offering for sale, holding for
2 sale, or using 2,000 or more counterfeit items or
3 counterfeit items having a retail value in the aggregate
4 of \$500,000 or more.

5 (DD) A conviction for aggravated assault under
6 paragraph (6) of subsection (c) of Section 12-2 of the
7 Criminal Code of 1961 or the Criminal Code of 2012 if the
8 firearm is aimed toward the person against whom the
9 firearm is being used.

10 (EE) A conviction for a violation of paragraph (2) of
11 subsection (a) of Section 24-3B of the Criminal Code of
12 2012.

13 (FF) A second or subsequent conviction for a violation
14 of paragraph (m) or (n) of subsection (A) of Section 24-3
15 of the Criminal Code of 2012.

16 (3) (Blank).

17 (4) A minimum term of imprisonment of not less than 10
18 consecutive days or 30 days of community service shall be
19 imposed for a violation of paragraph (c) of Section 6-303 of
20 the Illinois Vehicle Code.

21 (4.1) (Blank).

22 (4.2) Except as provided in paragraphs (4.3) and (4.8) of
23 this subsection (c), a minimum of 100 hours of community
24 service shall be imposed for a second violation of Section
25 6-303 of the Illinois Vehicle Code.

26 (4.3) A minimum term of imprisonment of 30 days or 300

1 hours of community service, as determined by the court, shall
2 be imposed for a second violation of subsection (c) of Section
3 6-303 of the Illinois Vehicle Code.

4 (4.4) Except as provided in paragraphs (4.5), (4.6), and
5 (4.9) of this subsection (c), a minimum term of imprisonment
6 of 30 days or 300 hours of community service, as determined by
7 the court, shall be imposed for a third or subsequent
8 violation of Section 6-303 of the Illinois Vehicle Code. The
9 court may give credit toward the fulfillment of community
10 service hours for participation in activities and treatment as
11 determined by court services.

12 (4.5) A minimum term of imprisonment of 30 days shall be
13 imposed for a third violation of subsection (c) of Section
14 6-303 of the Illinois Vehicle Code.

15 (4.6) Except as provided in paragraph (4.10) of this
16 subsection (c), a minimum term of imprisonment of 180 days
17 shall be imposed for a fourth or subsequent violation of
18 subsection (c) of Section 6-303 of the Illinois Vehicle Code.

19 (4.7) A minimum term of imprisonment of not less than 30
20 consecutive days, or 300 hours of community service, shall be
21 imposed for a violation of subsection (a-5) of Section 6-303
22 of the Illinois Vehicle Code, as provided in subsection (b-5)
23 of that Section.

24 (4.8) A mandatory prison sentence shall be imposed for a
25 second violation of subsection (a-5) of Section 6-303 of the
26 Illinois Vehicle Code, as provided in subsection (c-5) of that

1 Section. The person's driving privileges shall be revoked for
2 a period of not less than 5 years from the date of his or her
3 release from prison.

4 (4.9) A mandatory prison sentence of not less than 4 and
5 not more than 15 years shall be imposed for a third violation
6 of subsection (a-5) of Section 6-303 of the Illinois Vehicle
7 Code, as provided in subsection (d-2.5) of that Section. The
8 person's driving privileges shall be revoked for the remainder
9 of his or her life.

10 (4.10) A mandatory prison sentence for a Class 1 felony
11 shall be imposed, and the person shall be eligible for an
12 extended term sentence, for a fourth or subsequent violation
13 of subsection (a-5) of Section 6-303 of the Illinois Vehicle
14 Code, as provided in subsection (d-3.5) of that Section. The
15 person's driving privileges shall be revoked for the remainder
16 of his or her life.

17 (5) The court may sentence a corporation or unincorporated
18 association convicted of any offense to:

19 (A) a period of conditional discharge;

20 (B) a fine;

21 (C) make restitution to the victim under Section 5-5-6
22 of this Code.

23 (5.1) In addition to any other penalties imposed, and
24 except as provided in paragraph (5.2) or (5.3), a person
25 convicted of violating subsection (c) of Section 11-907 of the
26 Illinois Vehicle Code shall have his or her driver's license,

1 permit, or privileges suspended for at least 90 days but not
2 more than one year, if the violation resulted in damage to the
3 property of another person.

4 (5.2) In addition to any other penalties imposed, and
5 except as provided in paragraph (5.3), a person convicted of
6 violating subsection (c) of Section 11-907 of the Illinois
7 Vehicle Code shall have his or her driver's license, permit,
8 or privileges suspended for at least 180 days but not more than
9 2 years, if the violation resulted in injury to another
10 person.

11 (5.3) In addition to any other penalties imposed, a person
12 convicted of violating subsection (c) of Section 11-907 of the
13 Illinois Vehicle Code shall have his or her driver's license,
14 permit, or privileges suspended for 2 years, if the violation
15 resulted in the death of another person.

16 (5.4) In addition to any other penalties imposed, a person
17 convicted of violating Section 3-707 of the Illinois Vehicle
18 Code shall have his or her driver's license, permit, or
19 privileges suspended for 3 months and until he or she has paid
20 a reinstatement fee of \$100.

21 (5.5) In addition to any other penalties imposed, a person
22 convicted of violating Section 3-707 of the Illinois Vehicle
23 Code during a period in which his or her driver's license,
24 permit, or privileges were suspended for a previous violation
25 of that Section shall have his or her driver's license,
26 permit, or privileges suspended for an additional 6 months

1 after the expiration of the original 3-month suspension and
2 until he or she has paid a reinstatement fee of \$100.

3 (6) (Blank).

4 (7) (Blank).

5 (8) (Blank).

6 (9) A defendant convicted of a second or subsequent
7 offense of ritualized abuse of a child may be sentenced to a
8 term of natural life imprisonment.

9 (10) (Blank).

10 (11) The court shall impose a minimum fine of \$1,000 for a
11 first offense and \$2,000 for a second or subsequent offense
12 upon a person convicted of or placed on supervision for
13 battery when the individual harmed was a sports official or
14 coach at any level of competition and the act causing harm to
15 the sports official or coach occurred within an athletic
16 facility or within the immediate vicinity of the athletic
17 facility at which the sports official or coach was an active
18 participant of the athletic contest held at the athletic
19 facility. For the purposes of this paragraph (11), "sports
20 official" means a person at an athletic contest who enforces
21 the rules of the contest, such as an umpire or referee;
22 "athletic facility" means an indoor or outdoor playing field
23 or recreational area where sports activities are conducted;
24 and "coach" means a person recognized as a coach by the
25 sanctioning authority that conducted the sporting event.

26 (12) A person may not receive a disposition of court

1 supervision for a violation of Section 5-16 of the Boat
2 Registration and Safety Act if that person has previously
3 received a disposition of court supervision for a violation of
4 that Section.

5 (13) A person convicted of or placed on court supervision
6 for an assault or aggravated assault when the victim and the
7 offender are family or household members as defined in Section
8 103 of the Illinois Domestic Violence Act of 1986 or convicted
9 of domestic battery or aggravated domestic battery may be
10 required to attend a Partner Abuse Intervention Program under
11 protocols set forth by the Illinois Department of Human
12 Services under such terms and conditions imposed by the court.
13 The costs of such classes shall be paid by the offender.

14 (d) In any case in which a sentence originally imposed is
15 vacated, the case shall be remanded to the trial court. The
16 trial court shall hold a hearing under Section 5-4-1 of this
17 Code which may include evidence of the defendant's life, moral
18 character and occupation during the time since the original
19 sentence was passed. The trial court shall then impose
20 sentence upon the defendant. The trial court may impose any
21 sentence which could have been imposed at the original trial
22 subject to Section 5-5-4 of this Code. If a sentence is vacated
23 on appeal or on collateral attack due to the failure of the
24 trier of fact at trial to determine beyond a reasonable doubt
25 the existence of a fact (other than a prior conviction)
26 necessary to increase the punishment for the offense beyond

1 the statutory maximum otherwise applicable, either the
2 defendant may be re-sentenced to a term within the range
3 otherwise provided or, if the State files notice of its
4 intention to again seek the extended sentence, the defendant
5 shall be afforded a new trial.

6 (e) In cases where prosecution for aggravated criminal
7 sexual abuse under Section 11-1.60 or 12-16 of the Criminal
8 Code of 1961 or the Criminal Code of 2012 results in conviction
9 of a defendant who was a family member of the victim at the
10 time of the commission of the offense, the court shall
11 consider the safety and welfare of the victim and may impose a
12 sentence of probation only where:

13 (1) the court finds (A) or (B) or both are
14 appropriate:

15 (A) the defendant is willing to undergo a court
16 approved counseling program for a minimum duration of
17 2 years; or

18 (B) the defendant is willing to participate in a
19 court approved plan, including, but not limited to,
20 the defendant's:

21 (i) removal from the household;

22 (ii) restricted contact with the victim;

23 (iii) continued financial support of the
24 family;

25 (iv) restitution for harm done to the victim;

26 and

1 (v) compliance with any other measures that
2 the court may deem appropriate; and

3 (2) the court orders the defendant to pay for the
4 victim's counseling services, to the extent that the court
5 finds, after considering the defendant's income and
6 assets, that the defendant is financially capable of
7 paying for such services, if the victim was under 18 years
8 of age at the time the offense was committed and requires
9 counseling as a result of the offense.

10 Probation may be revoked or modified pursuant to Section
11 5-6-4; except where the court determines at the hearing that
12 the defendant violated a condition of his or her probation
13 restricting contact with the victim or other family members or
14 commits another offense with the victim or other family
15 members, the court shall revoke the defendant's probation and
16 impose a term of imprisonment.

17 For the purposes of this Section, "family member" and
18 "victim" shall have the meanings ascribed to them in Section
19 11-0.1 of the Criminal Code of 2012.

20 (f) (Blank).

21 (g) Whenever a defendant is convicted of an offense under
22 Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14,
23 11-14.3, 11-14.4 except for an offense that involves keeping a
24 place of juvenile prostitution, 11-15, 11-15.1, 11-16, 11-17,
25 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 12-13, 12-14,
26 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the

1 Criminal Code of 2012, the defendant shall undergo medical
2 testing to determine whether the defendant has any sexually
3 transmissible disease, including a test for infection with
4 human immunodeficiency virus (HIV) or any other identified
5 causative agent of acquired immunodeficiency syndrome (AIDS).
6 Any such medical test shall be performed only by appropriately
7 licensed medical practitioners and may include an analysis of
8 any bodily fluids as well as an examination of the defendant's
9 person. Except as otherwise provided by law, the results of
10 such test shall be kept strictly confidential by all medical
11 personnel involved in the testing and must be personally
12 delivered in a sealed envelope to the judge of the court in
13 which the conviction was entered for the judge's inspection in
14 camera. Acting in accordance with the best interests of the
15 victim and the public, the judge shall have the discretion to
16 determine to whom, if anyone, the results of the testing may be
17 revealed. The court shall notify the defendant of the test
18 results. The court shall also notify the victim if requested
19 by the victim, and if the victim is under the age of 15 and if
20 requested by the victim's parents or legal guardian, the court
21 shall notify the victim's parents or legal guardian of the
22 test results. The court shall provide information on the
23 availability of HIV testing and counseling at Department of
24 Public Health facilities to all parties to whom the results of
25 the testing are revealed and shall direct the State's Attorney
26 to provide the information to the victim when possible. The

1 court shall order that the cost of any such test shall be paid
2 by the county and may be taxed as costs against the convicted
3 defendant.

4 (g-5) When an inmate is tested for an airborne
5 communicable disease, as determined by the Illinois Department
6 of Public Health, including, but not limited to, tuberculosis,
7 the results of the test shall be personally delivered by the
8 warden or his or her designee in a sealed envelope to the judge
9 of the court in which the inmate must appear for the judge's
10 inspection in camera if requested by the judge. Acting in
11 accordance with the best interests of those in the courtroom,
12 the judge shall have the discretion to determine what if any
13 precautions need to be taken to prevent transmission of the
14 disease in the courtroom.

15 (h) Whenever a defendant is convicted of an offense under
16 Section 1 or 2 of the Hypodermic Syringes and Needles Act, the
17 defendant shall undergo medical testing to determine whether
18 the defendant has been exposed to human immunodeficiency virus
19 (HIV) or any other identified causative agent of acquired
20 immunodeficiency syndrome (AIDS). Except as otherwise provided
21 by law, the results of such test shall be kept strictly
22 confidential by all medical personnel involved in the testing
23 and must be personally delivered in a sealed envelope to the
24 judge of the court in which the conviction was entered for the
25 judge's inspection in camera. Acting in accordance with the
26 best interests of the public, the judge shall have the

1 discretion to determine to whom, if anyone, the results of the
2 testing may be revealed. The court shall notify the defendant
3 of a positive test showing an infection with the human
4 immunodeficiency virus (HIV). The court shall provide
5 information on the availability of HIV testing and counseling
6 at Department of Public Health facilities to all parties to
7 whom the results of the testing are revealed and shall direct
8 the State's Attorney to provide the information to the victim
9 when possible. The court shall order that the cost of any such
10 test shall be paid by the county and may be taxed as costs
11 against the convicted defendant.

12 (i) All fines and penalties imposed under this Section for
13 any violation of Chapters 3, 4, 6, and 11 of the Illinois
14 Vehicle Code, or a similar provision of a local ordinance, and
15 any violation of the Child Passenger Protection Act, or a
16 similar provision of a local ordinance, shall be collected and
17 disbursed by the circuit clerk as provided under the Criminal
18 and Traffic Assessment Act.

19 (j) In cases when prosecution for any violation of Section
20 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-8, 11-9,
21 11-11, 11-14, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17,
22 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1,
23 11-20.1B, 11-20.3, 11-21, 11-30, 11-40, 12-13, 12-14, 12-14.1,
24 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal
25 Code of 2012, any violation of the Illinois Controlled
26 Substances Act, any violation of the Cannabis Control Act, or

1 any violation of the Methamphetamine Control and Community
2 Protection Act results in conviction, a disposition of court
3 supervision, or an order of probation granted under Section 10
4 of the Cannabis Control Act, Section 410 of the Illinois
5 Controlled Substances Act, or Section 70 of the
6 Methamphetamine Control and Community Protection Act of a
7 defendant, the court shall determine whether the defendant is
8 employed by a facility or center as defined under the Child
9 Care Act of 1969, a public or private elementary or secondary
10 school, or otherwise works with children under 18 years of age
11 on a daily basis. When a defendant is so employed, the court
12 shall order the Clerk of the Court to send a copy of the
13 judgment of conviction or order of supervision or probation to
14 the defendant's employer by certified mail. If the employer of
15 the defendant is a school, the Clerk of the Court shall direct
16 the mailing of a copy of the judgment of conviction or order of
17 supervision or probation to the appropriate regional
18 superintendent of schools. The regional superintendent of
19 schools shall notify the State Board of Education of any
20 notification under this subsection.

21 (j-5) A defendant at least 17 years of age who is convicted
22 of a felony and who has not been previously convicted of a
23 misdemeanor or felony and who is sentenced to a term of
24 imprisonment in the Illinois Department of Corrections shall
25 as a condition of his or her sentence be required by the court
26 to attend educational courses designed to prepare the

1 defendant for a high school diploma and to work toward a high
2 school diploma or to work toward passing high school
3 equivalency testing or to work toward completing a vocational
4 training program offered by the Department of Corrections. If
5 a defendant fails to complete the educational training
6 required by his or her sentence during the term of
7 incarceration, the Prisoner Review Board shall, as a condition
8 of mandatory supervised release, require the defendant, at his
9 or her own expense, to pursue a course of study toward a high
10 school diploma or passage of high school equivalency testing.
11 The Prisoner Review Board shall revoke the mandatory
12 supervised release of a defendant who wilfully fails to comply
13 with this subsection (j-5) upon his or her release from
14 confinement in a penal institution while serving a mandatory
15 supervised release term; however, the inability of the
16 defendant after making a good faith effort to obtain financial
17 aid or pay for the educational training shall not be deemed a
18 wilful failure to comply. The Prisoner Review Board shall
19 recommit the defendant whose mandatory supervised release term
20 has been revoked under this subsection (j-5) as provided in
21 Section 3-3-9. This subsection (j-5) does not apply to a
22 defendant who has a high school diploma or has successfully
23 passed high school equivalency testing. This subsection (j-5)
24 does not apply to a defendant who is determined by the court to
25 be a person with a developmental disability or otherwise
26 mentally incapable of completing the educational or vocational

1 program.

2 (k) (Blank).

3 (l) (A) Except as provided in paragraph (C) of subsection
4 (1), whenever a defendant, who is an alien as defined by the
5 Immigration and Nationality Act, is convicted of any felony or
6 misdemeanor offense, the court after sentencing the defendant
7 may, upon motion of the State's Attorney, hold sentence in
8 abeyance and remand the defendant to the custody of the
9 Attorney General of the United States or his or her designated
10 agent to be deported when:

11 (1) a final order of deportation has been issued
12 against the defendant pursuant to proceedings under the
13 Immigration and Nationality Act, and

14 (2) the deportation of the defendant would not
15 deprecate the seriousness of the defendant's conduct and
16 would not be inconsistent with the ends of justice.

17 Otherwise, the defendant shall be sentenced as provided in
18 this Chapter V.

19 (B) If the defendant has already been sentenced for a
20 felony or misdemeanor offense, or has been placed on probation
21 under Section 10 of the Cannabis Control Act, Section 410 of
22 the Illinois Controlled Substances Act, or Section 70 of the
23 Methamphetamine Control and Community Protection Act, the
24 court may, upon motion of the State's Attorney to suspend the
25 sentence imposed, commit the defendant to the custody of the
26 Attorney General of the United States or his or her designated

1 agent when:

2 (1) a final order of deportation has been issued
3 against the defendant pursuant to proceedings under the
4 Immigration and Nationality Act, and

5 (2) the deportation of the defendant would not
6 deprecate the seriousness of the defendant's conduct and
7 would not be inconsistent with the ends of justice.

8 (C) This subsection (1) does not apply to offenders who
9 are subject to the provisions of paragraph (2) of subsection
10 (a) of Section 3-6-3.

11 (D) Upon motion of the State's Attorney, if a defendant
12 sentenced under this Section returns to the jurisdiction of
13 the United States, the defendant shall be recommitted to the
14 custody of the county from which he or she was sentenced.
15 Thereafter, the defendant shall be brought before the
16 sentencing court, which may impose any sentence that was
17 available under Section 5-5-3 at the time of initial
18 sentencing. In addition, the defendant shall not be eligible
19 for additional earned sentence credit as provided under
20 Section 3-6-3.

21 (m) A person convicted of criminal defacement of property
22 under Section 21-1.3 of the Criminal Code of 1961 or the
23 Criminal Code of 2012, in which the property damage exceeds
24 \$300 and the property damaged is a school building, shall be
25 ordered to perform community service that may include cleanup,
26 removal, or painting over the defacement.

1 (n) The court may sentence a person convicted of a
2 violation of Section 12-19, 12-21, 16-1.3, or 17-56, or
3 subsection (a) or (b) of Section 12-4.4a, of the Criminal Code
4 of 1961 or the Criminal Code of 2012 (i) to an impact
5 incarceration program if the person is otherwise eligible for
6 that program under Section 5-8-1.1, (ii) to community service,
7 or (iii) if the person has a substance use disorder, as defined
8 in the Substance Use Disorder Act, to a treatment program
9 licensed under that Act.

10 (o) Whenever a person is convicted of a sex offense as
11 defined in Section 2 of the Sex Offender Registration Act, the
12 defendant's driver's license or permit shall be subject to
13 renewal on an annual basis in accordance with the provisions
14 of license renewal established by the Secretary of State.

15 (Source: P.A. 101-81, eff. 7-12-19; 102-168, eff. 7-27-21;
16 102-531, eff. 1-1-22; revised 10-12-21.)