



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

#### HB5419

Introduced 1/31/2022, by Rep. La Shawn K. Ford

#### SYNOPSIS AS INTRODUCED:

New Act

20 ILCS 3930/7.10 new

725 ILCS 215/2

from Ch. 38, par. 1702

725 ILCS 215/3

from Ch. 38, par. 1703

730 ILCS 5/5-8-1

from Ch. 38, par. 1005-8-1

Creates the Martyr For Justice Act. Creates a Task Force on Murdered Children in Chicago. Provides that the Task Force must examine and report annually to the Governor and the General Assembly on the following: (1) the systemic causes behind firearm violence that Chicago children experience, including patterns and underlying factors that explain why disproportionately high levels of firearm violence occur against Chicago Children, including underlying historical, social, economic, institutional, and cultural factors that may contribute to the gun violence; (2) appropriate methods for tracking and collecting data on violence against Chicago children, including data on murdered Chicago children; (3) policies and institutions such as policing, child welfare, medical examiner practices, and other governmental practices that impact firearm violence against children; and (4) measures to help victim's siblings process the death and cope with loss. Creates the Martyr For Justice Project to engage and offer resource guidance to the families of children who are the victims of firearm violence, including those children injured or killed with firearms. Amends the Illinois Criminal Justice Information Act to provide grants to the Chicago Police Department to assist in the investigation of murders of persons under 13 years of age. Amends the Statewide Grand Jury Act. Provides that a Statewide Grand Jury may investigate, indict, and prosecute first degree murder of a person under 13 years of age, if the State's Attorney fails to prosecute the case. Amends the Unified Code of Corrections. Provides that a defendant, who is not the parent, guardian, or legal custodian of the murdered person, who is convicted of the first degree murder of a person under 13 years of age shall be sentenced to a term of natural life imprisonment.

LRB102 20704 RLC 35358 b

1 AN ACT concerning murdered children in Chicago.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Martyr  
5 For Justice Act. This Act may be referred to as the MJ Act.

6 Section 3. Findings. The General Assembly finds that:

7 There are over 1,000,000 juvenile gang members in the  
8 United States, an average of 2% of youth in the United States,  
9 with involvement highest at age 14, when about 5% of youth are  
10 members of juvenile gangs. Although local, state, and federal  
11 budgets in public health, criminal justice, education, and  
12 community services currently address the aftermath of youth  
13 joining juvenile gangs, a large majority of youth who join a  
14 juvenile gang do so at the ages between 11 and 15.

15 Early prevention is the key to preventing youth from  
16 joining juvenile gangs.

17 There has been a sharp increase of children under 13 years  
18 of age murdered as result of gang violence, and there has been  
19 a sharp increase of children under 13 years of age murdered as  
20 result of gang violence.

21 Mitigation efforts are necessary to stem youths as young  
22 as 13 years of age from joining juvenile gangs.

23 Stemming juvenile gang activity among youth will reduce

1 the number of murders of children under 13 years of age,  
2 especially in the City of Chicago.

3 Section 5. Definitions. In this Act:

4 "Director" means the Director of the Illinois State  
5 Police.

6 "Nongovernmental organization" means a not for profit,  
7 nongovernmental organization that provides legal, social, or  
8 other community services.

9 "Task Force" means the Task Force on Murdered Children in  
10 Chicago.

11 Section 10. Task Force on Murdered Children in Chicago.

12 (a) There is created the Task Force on Murdered Children  
13 in Chicago, appointed by the Director of the Illinois State  
14 Police, in consultation with the Chicago Police  
15 Superintendent, consisting of the following persons or their  
16 designees who are not members of the General Assembly and who  
17 are involved in investigative work on firearm violence against  
18 children:

19 (1) members of the Martyr For Justice Project Board of  
20 Directors;

21 (2) a psychiatrist specializing in the treatment of  
22 children;

23 (3) a liaison representing the medical profession;

24 (4) a liaison representing police officers;

1           (5) a liaison representing each of the major political  
2 parties of this State whose candidate for Governor in the  
3 general election for Governor preceding his or her  
4 appointment received at least 5% of the total votes cast  
5 for Governor;

6           (6) a parent of a child under 18 years of age who was  
7 murdered;

8           (7) two members from among the following appointed by  
9 the Director:

10           (A) an association representing Illinois chiefs of  
11 Police;

12           (B) an association representing Illinois sheriffs;

13           (C) an officer who is employed by the Illinois  
14 State Police; and

15           (D) an association representing Illinois peace  
16 officers;

17           (8) one or more representatives from among the  
18 following appointed by the Director:

19           (A) an association representing State's Attorneys;

20           (B) an attorney representing the United States  
21 District Attorney's Office in Chicago;

22           (C) a circuit judge, associate judge, or attorney  
23 working in juvenile court; and

24           (D) the Cook County Medical Examiner, or his or  
25 her designee, or a representative from a statewide  
26 coroner's or medical examiner's association or a

1 representative of the Department of Public Health;

2 (9) two members of the Senate, one appointed by the  
3 President of the Senate and one appointed by the Minority  
4 Leader of the Senate; and

5 (10) two members of the House of Representatives, one  
6 appointed by the Speaker of the House of Representatives  
7 and one appointed by the Minority Leader of the House of  
8 Representatives.

9 (b) If a vacancy occurs on the Task Force, it shall be  
10 filled in the same manner as the initial appointment.

11 (c) Unless otherwise provided for in this Act, members of  
12 the Task Force shall be appointed for 2-year terms.

13 (d) The Task Force shall advise the Director and the  
14 Chicago Police Superintendent and shall report to the Governor  
15 and General Assembly on recommended resource guidance.

16 (e) The Task Force may also serve as a liaison between the  
17 Director, the Chicago Police Superintendent, and agencies and  
18 nongovernmental organizations that provide awareness-specific  
19 services to victims, victims' families, and victims'  
20 communities.

21 (f) Task Force members shall serve without compensation  
22 but may, subject to appropriation, receive reimbursement for  
23 their expenses as members of the Task Force.

24 (g) The Director shall convene the first meeting of the  
25 Task Force no later than 30 days after the appointment of a  
26 majority of the members of the Task Force. The Task Force

1 members shall annually elect a chair and vice-chair from among  
2 the Task Force's members, and may elect other officers as  
3 necessary. The Task Force shall meet at least quarterly, or  
4 upon the call of its chair, and may hold meetings throughout  
5 the City of Chicago. The Task Force shall meet frequently  
6 enough to accomplish the tasks identified in this Section.  
7 Meetings of the Task Force are subject to the Open Meetings  
8 Act.

9 (h) The Illinois State Police shall provide administrative  
10 support for the Task Force.

11 (i) The Task Force must examine and report annually to the  
12 Governor and the General Assembly on the following:

13 (1) the systemic causes behind firearm violence that  
14 Chicago children experience, including patterns and  
15 underlying factors that explain why disproportionately  
16 high levels of firearm violence occur against Chicago  
17 Children, including underlying historical, social,  
18 economic, institutional, and cultural factors that may  
19 contribute to the gun violence;

20 (2) appropriate methods for tracking and collecting  
21 data on violence against Chicago children, including data  
22 on murdered Chicago children;

23 (3) policies and institutions such as policing, child  
24 welfare, medical examiner practices, and other  
25 governmental practices that impact firearm violence  
26 against children; and

1           (4) measures to help victim's siblings process the  
2           death and cope with loss.

3           (j) The Task Force shall report on or before December 31 of  
4           2023, and on or before December 31 of each year thereafter, to  
5           the General Assembly and the Governor on the work of the Task  
6           Force, including but not limited to, the issues to be examined  
7           in subsection (i), and shall include in the annual report  
8           recommendations regarding institutional policies and practices  
9           or proposed institutional policies and practices that are  
10          effective to increase convictions.

11          Section 15. Martyr For Justice Project.

12          (a) There is created a not for profit organization to be  
13          known as the Martyr For Justice Project. In accordance with  
14          the State Agency Entity Creation Act, the Secretary of Human  
15          Services shall file, within 60 days after the effective date  
16          of this Act, articles of incorporation under the General Not  
17          For Profit Corporation Act of 1986 for the creation of this  
18          Organization. The Organization shall meet the criteria of  
19          Section 501(c)(4) of the Internal Revenue Code of 1986 and  
20          shall apply for status as a Section 501(c)(4) organization  
21          with the Internal Revenue Service. The Organization shall, not  
22          later than 60 days after the organization is established,  
23          notify the United States Secretary of the Treasury (in such  
24          manner as the Secretary shall by regulation prescribe) that it  
25          is operating as such as provided in Section 506 of the Internal

1 Revenue Code of 1986.

2 (b) The Organization shall be composed of a board of  
3 directors consisting of 7 members, 2 appointed by the  
4 Secretary of Human Services, 2 appointed by the Director of  
5 Children and Family Services, and 3 appointed by the Director  
6 of the Illinois State Police in consultation with the Chicago  
7 Police Superintendent. Two of the initial appointees shall  
8 serve a one-year term; 2 shall serve 2-year terms; and the  
9 remaining 3 directors shall serve 4-year terms. Vacancies  
10 shall be filled by the appointing authority of the vacant  
11 member. After their initial appointments, each director shall  
12 serve a term of 4 years. The directors shall be composed of  
13 persons who provide advocacy for children in Chicago in the  
14 fields of education, health care, early childhood development,  
15 poverty reduction, child welfare, or youth justice. The  
16 directors shall initially meet within 30 days after their  
17 appointments. The initial meeting shall be convened by the  
18 Secretary of Human Services or his or her designee. At the  
19 initial meeting, the board of directors shall elect from among  
20 its members a chair, secretary, and such other officers as it  
21 deems appropriate.

22 (c) The Organization shall engage and offer resource  
23 guidance to the families of children who are the victims of  
24 firearm violence, including those children injured or killed  
25 with firearms. The Organization shall interact with the  
26 surviving parents of children under 13 years of age murdered



1 and injured as a result of firearm violence, with a focus on  
2 transforming how the legal system prioritizes child murder  
3 investigations and convictions.

4 Section 90. The Illinois Criminal Justice Information Act  
5 is amended by adding Section 7.10 as follows:

6 (20 ILCS 3930/7.10 new)

7 Sec. 7.10. Grants to Chicago Police Department.

8 (a) The Authority shall make grants to the Chicago Police  
9 Department to increase police investigation efforts for all  
10 unsolved murders of children under 13 years of age and for the  
11 purpose of dedicating at least 10 Chicago Police officers to  
12 further open investigations in Chicago for those unsolved  
13 murders. If the Chicago Police Department is unable to provide  
14 10 officers for those investigations, it shall seek the  
15 assistance of the Federal Bureau of Investigation if the  
16 Bureau has jurisdictions in those cases.

17 (b) The Authority shall make grants to the Chicago Police  
18 Department to increase incentives for persons to give  
19 information to the Chicago Police Department on any firearm  
20 deaths of persons under 13 years of age.

21 Section 95. The Statewide Grand Jury Act is amended by  
22 changing Sections 2 and 3 as follows:

1 (725 ILCS 215/2) (from Ch. 38, par. 1702)

2 Sec. 2. (a) County grand juries and State's Attorneys have  
3 always had and shall continue to have primary responsibility  
4 for investigating, indicting, and prosecuting persons who  
5 violate the criminal laws of the State of Illinois. However,  
6 in recent years organized terrorist activity directed against  
7 innocent civilians and certain criminal enterprises have  
8 developed that require investigation, indictment, and  
9 prosecution on a statewide or multicounty level. The criminal  
10 enterprises exist as a result of the allure of profitability  
11 present in narcotic activity, the unlawful sale and transfer  
12 of firearms, and streetgang related felonies and organized  
13 terrorist activity is supported by the contribution of money  
14 and expert assistance from geographically diverse sources. In  
15 order to shut off the life blood of terrorism and weaken or  
16 eliminate the criminal enterprises, assets, and property used  
17 to further these offenses must be frozen, and any profit must  
18 be removed. State statutes exist that can accomplish that  
19 goal. Among them are the offense of money laundering,  
20 violations of Article 29D of the Criminal Code of 1961 or the  
21 Criminal Code of 2012, the Narcotics Profit Forfeiture Act,  
22 and gunrunning. Local prosecutors need investigative personnel  
23 and specialized training to attack and eliminate these  
24 profits. In light of the transitory and complex nature of  
25 conduct that constitutes these criminal activities, the many  
26 diverse property interests that may be used, acquired directly

1 or indirectly as a result of these criminal activities, and  
2 the many places that illegally obtained property may be  
3 located, it is the purpose of this Act to create a limited,  
4 multicounty Statewide Grand Jury with authority to  
5 investigate, indict, and prosecute: narcotic activity,  
6 including cannabis and controlled substance trafficking,  
7 narcotics racketeering, money laundering, violations of the  
8 Cannabis and Controlled Substances Tax Act, and violations of  
9 Article 29D of the Criminal Code of 1961 or the Criminal Code  
10 of 2012; the unlawful sale and transfer of firearms;  
11 gunrunning; and streetgang related felonies.

12 (b) A Statewide Grand Jury may also investigate, indict,  
13 and prosecute violations facilitated by the use of a computer  
14 of any of the following offenses: first degree murder of a  
15 person under 13 years of age, if the State's Attorney fails to  
16 prosecute the case, indecent solicitation of a child, sexual  
17 exploitation of a child, soliciting for a juvenile prostitute,  
18 keeping a place of juvenile prostitution, juvenile pimping,  
19 child pornography, aggravated child pornography, or promoting  
20 juvenile prostitution except as described in subdivision  
21 (a) (4) of Section 11-14.4 of the Criminal Code of 1961 or the  
22 Criminal Code of 2012.

23 (Source: P.A. 101-593, eff. 12-4-19.)

24 (725 ILCS 215/3) (from Ch. 38, par. 1703)

25 Sec. 3. Written application for the appointment of a

1 Circuit Judge to convene and preside over a Statewide Grand  
2 Jury, with jurisdiction extending throughout the State, shall  
3 be made to the Chief Justice of the Supreme Court. Upon such  
4 written application, the Chief Justice of the Supreme Court  
5 shall appoint a Circuit Judge from the circuit where the  
6 Statewide Grand Jury is being sought to be convened, who shall  
7 make a determination that the convening of a Statewide Grand  
8 Jury is necessary.

9 In such application the Attorney General shall state that  
10 the convening of a Statewide Grand Jury is necessary because  
11 of an alleged offense or offenses set forth in this Section  
12 involving more than one county of the State and identifying  
13 any such offense alleged; and

14 (a) that he or she believes that the grand jury  
15 function for the investigation and indictment of the  
16 offense or offenses cannot effectively be performed by a  
17 county grand jury together with the reasons for such  
18 belief, and

19 (b) (1) that each State's Attorney with jurisdiction  
20 over an offense or offenses to be investigated has  
21 consented to the impaneling of the Statewide Grand Jury,  
22 or

23 (2) if one or more of the State's Attorneys having  
24 jurisdiction over an offense or offenses to be  
25 investigated fails to consent to the impaneling of the  
26 Statewide Grand Jury, the Attorney General shall set forth

1 good cause for impaneling the Statewide Grand Jury.

2 If the Circuit Judge determines that the convening of a  
3 Statewide Grand Jury is necessary, he or she shall convene and  
4 impanel the Statewide Grand Jury with jurisdiction extending  
5 throughout the State to investigate and return indictments:

6 (a) For violations of any of the following or for any  
7 other criminal offense committed in the course of  
8 violating any of the following: Article 29D of the  
9 Criminal Code of 1961 or the Criminal Code of 2012, the  
10 Illinois Controlled Substances Act, the Cannabis Control  
11 Act, the Methamphetamine Control and Community Protection  
12 Act, or the Narcotics Profit Forfeiture Act; first degree  
13 murder of a person under 13 years of age, if the State's  
14 Attorney fails to prosecute the case; a streetgang related  
15 felony offense; Section 24-2.1, 24-2.2, 24-3, 24-3A,  
16 24-3.1, 24-3.3, 24-3.4, 24-4, or 24-5 or subsection  
17 24-1(a) (4), 24-1(a) (6), 24-1(a) (7), 24-1(a) (9),  
18 24-1(a) (10), or 24-1(c) of the Criminal Code of 1961 or  
19 the Criminal Code of 2012; or a money laundering offense;  
20 provided that the violation or offense involves acts  
21 occurring in more than one county of this State; and

22 (a-5) For violations facilitated by the use of a  
23 computer, including the use of the Internet, the World  
24 Wide Web, electronic mail, message board, newsgroup, or  
25 any other commercial or noncommercial on-line service, of  
26 any of the following offenses: indecent solicitation of a

1 child, sexual exploitation of a child, soliciting for a  
2 juvenile prostitute, keeping a place of juvenile  
3 prostitution, juvenile pimping, child pornography,  
4 aggravated child pornography, or promoting juvenile  
5 prostitution except as described in subdivision (a)(4) of  
6 Section 11-14.4 of the Criminal Code of 1961 or the  
7 Criminal Code of 2012; and

8 (b) For the offenses of perjury, subornation of  
9 perjury, communicating with jurors and witnesses, and  
10 harassment of jurors and witnesses, as they relate to  
11 matters before the Statewide Grand Jury.

12 "Streetgang related" has the meaning ascribed to it in  
13 Section 10 of the Illinois Streetgang Terrorism Omnibus  
14 Prevention Act.

15 Upon written application by the Attorney General for the  
16 convening of an additional Statewide Grand Jury, the Chief  
17 Justice of the Supreme Court shall appoint a Circuit Judge  
18 from the circuit for which the additional Statewide Grand Jury  
19 is sought. The Circuit Judge shall determine the necessity for  
20 an additional Statewide Grand Jury in accordance with the  
21 provisions of this Section. No more than 2 Statewide Grand  
22 Juries may be empaneled at any time.

23 (Source: P.A. 101-593, eff. 12-4-19.)

24 Section 100. The Unified Code of Corrections is amended by  
25 changing Section 5-8-1 as follows:

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

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

4 (a) Except as otherwise provided in the statute defining  
5 the offense or in Article 4.5 of Chapter V, a sentence of  
6 imprisonment for a felony shall be a determinate sentence set  
7 by the court under this Section, subject to Section 5-4.5-115  
8 of this Code, according to the following limitations:

9 (1) for first degree murder,

10 (a) (blank),

11 (b) if a trier of fact finds beyond a reasonable  
12 doubt that the murder was accompanied by exceptionally  
13 brutal or heinous behavior indicative of wanton  
14 cruelty or, except as set forth in subsection  
15 (a)(1)(c) of this Section, that any of the aggravating  
16 factors listed in subsection (b) or (b-5) of Section  
17 9-1 of the Criminal Code of 1961 or the Criminal Code  
18 of 2012 are present, the court may sentence the  
19 defendant, subject to Section 5-4.5-105, to a term of  
20 natural life imprisonment, or

21 (c) the court shall sentence the defendant to a  
22 term of natural life imprisonment if the defendant, at  
23 the time of the commission of the murder, had attained  
24 the age of 18, and:

25 (i) has previously been convicted of first

1 degree murder under any state or federal law, or

2 (ii) is found guilty of murdering more than  
3 one victim, or

4 (iii) is found guilty of murdering a peace  
5 officer, fireman, or emergency management worker  
6 when the peace officer, fireman, or emergency  
7 management worker was killed in the course of  
8 performing his official duties, or to prevent the  
9 peace officer or fireman from performing his  
10 official duties, or in retaliation for the peace  
11 officer, fireman, or emergency management worker  
12 from performing his official duties, and the  
13 defendant knew or should have known that the  
14 murdered individual was a peace officer, fireman,  
15 or emergency management worker, or

16 (iv) is found guilty of murdering an employee  
17 of an institution or facility of the Department of  
18 Corrections, or any similar local correctional  
19 agency, when the employee was killed in the course  
20 of performing his official duties, or to prevent  
21 the employee from performing his official duties,  
22 or in retaliation for the employee performing his  
23 official duties, or

24 (v) is found guilty of murdering an emergency  
25 medical technician - ambulance, emergency medical  
26 technician - intermediate, emergency medical



1 technician - paramedic, ambulance driver or other  
2 medical assistance or first aid person while  
3 employed by a municipality or other governmental  
4 unit when the person was killed in the course of  
5 performing official duties or to prevent the  
6 person from performing official duties or in  
7 retaliation for performing official duties and the  
8 defendant knew or should have known that the  
9 murdered individual was an emergency medical  
10 technician - ambulance, emergency medical  
11 technician - intermediate, emergency medical  
12 technician - paramedic, ambulance driver, or other  
13 medical assistant or first aid personnel, or

14 (vi) (blank), or

15 (vii) is found guilty of first degree murder  
16 and the murder was committed by reason of any  
17 person's activity as a community policing  
18 volunteer or to prevent any person from engaging  
19 in activity as a community policing volunteer. For  
20 the purpose of this Section, "community policing  
21 volunteer" has the meaning ascribed to it in  
22 Section 2-3.5 of the Criminal Code of 2012, or

23 (viii) is found guilty of murdering a person  
24 under 13 years of age and the defendant is not the  
25 parent, guardian, or legal custodian of the  
26 murdered person.

1           For purposes of clause (v), "emergency medical  
2 technician - ambulance", "emergency medical technician  
3 - intermediate", "emergency medical technician -  
4 paramedic", have the meanings ascribed to them in the  
5 Emergency Medical Services (EMS) Systems Act.

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

9           (ii) if, during the commission of the offense, the  
10 person personally discharged a firearm, 20 years shall  
11 be added to the term of imprisonment imposed by the  
12 court;

13           (iii) if, during the commission of the offense,  
14 the person personally discharged a firearm that  
15 proximately caused great bodily harm, permanent  
16 disability, permanent disfigurement, or death to  
17 another person, 25 years or up to a term of natural  
18 life shall be added to the term of imprisonment  
19 imposed by the court.

20           (2) (blank);

21           (2.5) for a person who has attained the age of 18 years  
22 at the time of the commission of the offense and who is  
23 convicted under the circumstances described in subdivision  
24 (b) (1) (B) of Section 11-1.20 or paragraph (3) of  
25 subsection (b) of Section 12-13, subdivision (d) (2) of  
26 Section 11-1.30 or paragraph (2) of subsection (d) of

1 Section 12-14, subdivision (b) (1.2) of Section 11-1.40 or  
2 paragraph (1.2) of subsection (b) of Section 12-14.1,  
3 subdivision (b) (2) of Section 11-1.40 or paragraph (2) of  
4 subsection (b) of Section 12-14.1 of the Criminal Code of  
5 1961 or the Criminal Code of 2012, the sentence shall be a  
6 term of natural life imprisonment.

7 (b) (Blank).

8 (c) (Blank).

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

13 (1) for first degree murder or for the offenses of  
14 predatory criminal sexual assault of a child, aggravated  
15 criminal sexual assault, and criminal sexual assault if  
16 committed on or before December 12, 2005, 3 years;

17 (1.5) except as provided in paragraph (7) of this  
18 subsection (d), for a Class X felony except for the  
19 offenses of predatory criminal sexual assault of a child,  
20 aggravated criminal sexual assault, and criminal sexual  
21 assault if committed on or after December 13, 2005 (the  
22 effective date of Public Act 94-715) and except for the  
23 offense of aggravated child pornography under Section  
24 11-20.1B, 11-20.3, or 11-20.1 with sentencing under  
25 subsection (c-5) of Section 11-20.1 of the Criminal Code  
26 of 1961 or the Criminal Code of 2012, if committed on or

1 after January 1, 2009, 18 months;

2 (2) except as provided in paragraph (7) of this  
3 subsection (d), for a Class 1 felony or a Class 2 felony  
4 except for the offense of criminal sexual assault if  
5 committed on or after December 13, 2005 (the effective  
6 date of Public Act 94-715) and except for the offenses of  
7 manufacture and dissemination of child pornography under  
8 clauses (a)(1) and (a)(2) of Section 11-20.1 of the  
9 Criminal Code of 1961 or the Criminal Code of 2012, if  
10 committed on or after January 1, 2009, 12 months;

11 (3) except as provided in paragraph (4), (6), or (7)  
12 of this subsection (d), a mandatory supervised release  
13 term shall not be imposed for a Class 3 felony or a Class 4  
14 felony; unless:

15 (A) the Prisoner Review Board, based on a  
16 validated risk and needs assessment, determines it is  
17 necessary for an offender to serve a mandatory  
18 supervised release term;

19 (B) if the Prisoner Review Board determines a  
20 mandatory supervised release term is necessary  
21 pursuant to subparagraph (A) of this paragraph (3),  
22 the Prisoner Review Board shall specify the maximum  
23 number of months of mandatory supervised release the  
24 offender may serve, limited to a term of: (i) 12 months  
25 for a Class 3 felony; and (ii) 12 months for a Class 4  
26 felony;

1           (4) for defendants who commit the offense of predatory  
2 criminal sexual assault of a child, aggravated criminal  
3 sexual assault, or criminal sexual assault, on or after  
4 December 13, 2005 (the effective date of Public Act  
5 94-715), or who commit the offense of aggravated child  
6 pornography under Section 11-20.1B, 11-20.3, or 11-20.1  
7 with sentencing under subsection (c-5) of Section 11-20.1  
8 of the Criminal Code of 1961 or the Criminal Code of 2012,  
9 manufacture of child pornography, or dissemination of  
10 child pornography after January 1, 2009, the term of  
11 mandatory supervised release shall range from a minimum of  
12 3 years to a maximum of the natural life of the defendant;

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

19           (6) for a felony domestic battery, aggravated domestic  
20 battery, stalking, aggravated stalking, and a felony  
21 violation of an order of protection, 4 years;

22           (7) for any felony described in paragraph (a)(2)(ii),  
23 (a)(2)(iii), (a)(2)(iv), (a)(2)(vi), (a)(2.1), (a)(2.3),  
24 (a)(2.4), (a)(2.5), or (a)(2.6) of Article 5, Section  
25 3-6-3 of the Unified Code of Corrections requiring an  
26 inmate to serve a minimum of 85% of their court-imposed

1 sentence, except for the offenses of predatory criminal  
2 sexual assault of a child, aggravated criminal sexual  
3 assault, and criminal sexual assault if committed on or  
4 after December 13, 2005 (the effective date of Public Act  
5 94-715) and except for the offense of aggravated child  
6 pornography under Section 11-20.1B, 11-20.3, or 11-20.1  
7 with sentencing under subsection (c-5) of Section 11-20.1  
8 of the Criminal Code of 1961 or the Criminal Code of 2012,  
9 if committed on or after January 1, 2009 and except as  
10 provided in paragraph (4) or paragraph (6) of this  
11 subsection (d), the term of mandatory supervised release  
12 shall be as follows:

13 (A) Class X felony, 3 years;

14 (B) Class 1 or Class 2 felonies, 2 years;

15 (C) Class 3 or Class 4 felonies, 1 year.

16 (e) (Blank).

17 (f) (Blank).

18 (g) Notwithstanding any other provisions of this Act and  
19 of Public Act 101-652: (i) the provisions of paragraph (3) of  
20 subsection (d) are effective on January 1, 2022 and shall  
21 apply to all individuals convicted on or after the effective  
22 date of paragraph (3) of subsection (d); and (ii) the  
23 provisions of paragraphs (1.5) and (2) of subsection (d) are  
24 effective on July 1, 2021 and shall apply to all individuals  
25 convicted on or after the effective date of paragraphs (1.5)  
26 and (2) of subsection (d).

1 (Source: P.A. 101-288, eff. 1-1-20; 101-652, eff. 7-1-21;  
2 102-28, eff. 6-25-21; 102-687, eff. 12-17-21.)