

1 AN ACT in relation to 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
5 by changing Sections 3-3-2 and 5-5-5 and adding Article 5.5
6 to Chapter V as follows:

7 (730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)
8 Sec. 3-3-2. Powers and Duties.

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

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

22 (2) hear by at least one member and through a panel
23 of at least 3 members decide, the conditions of parole
24 and the time of discharge from parole, impose sanctions
25 for violations of parole, and revoke parole for those
26 sentenced under the law in effect prior to this
27 amendatory Act of 1977; provided that the decision to
28 parole and the conditions of parole for all prisoners who
29 were sentenced for first degree murder or who received a
30 minimum sentence of 20 years or more under the law in
31 effect prior to February 1, 1978 shall be determined by a

1 majority vote of the Prisoner Review Board;

2 (3) hear by at least one member and through a panel
3 of at least 3 members decide, the conditions of mandatory
4 supervised release and the time of discharge from
5 mandatory supervised release, impose sanctions for
6 violations of mandatory supervised release, and revoke
7 mandatory supervised release for those sentenced under
8 the law in effect after the effective date of this
9 amendatory Act of 1977;

10 (4) hear by at least 1 member and through a panel
11 of at least 3 members, decide cases brought by the
12 Department of Corrections against a prisoner in the
13 custody of the Department for alleged violation of
14 Department rules with respect to good conduct credits
15 pursuant to Section 3-6-3 of this Code in which the
16 Department seeks to revoke good conduct credits, if the
17 amount of time at issue exceeds 30 days or when, during
18 any 12 month period, the cumulative amount of credit
19 revoked exceeds 30 days except where the infraction is
20 committed or discovered within 60 days of scheduled
21 release. In such cases, the Department of Corrections may
22 revoke up to 30 days of good conduct credit. The Board
23 may subsequently approve the revocation of additional
24 good conduct credit, if the Department seeks to revoke
25 good conduct credit in excess of thirty days. However,
26 the Board shall not be empowered to review the
27 Department's decision with respect to the loss of 30 days
28 of good conduct credit for any prisoner or to increase
29 any penalty beyond the length requested by the
30 Department;

31 (5) hear by at least one member and through a panel
32 of at least 3 members decide, the release dates for
33 certain prisoners sentenced under the law in existence
34 prior to the effective date of this amendatory Act of

1 1977, in accordance with Section 3-3-2.1 of this Code;

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

6 (7) comply with the requirements of the Open Parole
7 Hearings Act; and

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

18 (9) hear by at least 3 members, and through a panel
19 of at least 3 members, decide as to whether to grant
20 certificates of relief from disabilities or certificates
21 of good conduct as provided in Article 5.5 of Chapter V.

22 (a-5) The Prisoner Review Board, with the cooperation of
23 and in coordination with the Department of Corrections and
24 the Department of Central Management Services, shall
25 implement a pilot project in 3 correctional institutions
26 providing for the conduct of hearings under paragraphs (1)
27 and (4) of subsection (a) of this Section through interactive
28 video conferences. The project shall be implemented within 6
29 months after the effective date of this amendatory Act of
30 1996. Within 6 months after the implementation of the pilot
31 project, the Prisoner Review Board, with the cooperation of
32 and in coordination with the Department of Corrections and
33 the Department of Central Management Services, shall report
34 to the Governor and the General Assembly regarding the use,

1 costs, effectiveness, and future viability of interactive
2 video conferences for Prisoner Review Board hearings.

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

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

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

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

15 (f) The Board or one who has allegedly violated the
16 conditions of his parole or mandatory supervised release may
17 require by subpoena the attendance and testimony of witnesses
18 and the production of documentary evidence relating to any
19 matter under investigation or hearing. The Chairman of the
20 Board may sign subpoenas which shall be served by any agent
21 or public official authorized by the Chairman of the Board,
22 or by any person lawfully authorized to serve a subpoena
23 under the laws of the State of Illinois. The attendance of
24 witnesses, and the production of documentary evidence, may be
25 required from any place in the State to a hearing location in
26 the State before the Chairman of the Board or his designated
27 agent or agents or any duly constituted Committee or
28 Subcommittee of the Board. Witnesses so summoned shall be
29 paid the same fees and mileage that are paid witnesses in the
30 circuit courts of the State, and witnesses whose depositions
31 are taken and the persons taking those depositions are each
32 entitled to the same fees as are paid for like services in
33 actions in the circuit courts of the State. Fees and mileage
34 shall be vouchered for payment when the witness is discharged

1 from further attendance.

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

24 Each member of the Board and any hearing officer
25 designated by the Board shall have the power to administer
26 oaths and to take the testimony of persons under oath.

27 (g) Except under subsection (a) of this Section, a
28 majority of the members then appointed to the Prisoner Review
29 Board shall constitute a quorum for the transaction of all
30 business of the Board.

31 (h) The Prisoner Review Board shall annually transmit to
32 the Director a detailed report of its work for the preceding
33 calendar year. The annual report shall also be transmitted to
34 the Governor for submission to the Legislature.

1 (Source: P.A. 90-14, eff. 7-1-97; 91-798, eff. 7-9-00;
2 91-946, eff. 2-9-01.)

3 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)
4 Sec. 5-5-5. Loss and Restoration of Rights.

5 (a) Conviction and disposition shall not entail the loss
6 by the defendant of any civil rights, except under this
7 Section and Sections 29-6 and 29-10 of The Election Code, as
8 now or hereafter amended.

9 (b) A person convicted of a felony shall be ineligible
10 to hold an office created by the Constitution of this State
11 until the completion of his sentence.

12 (c) A person sentenced to imprisonment shall lose his
13 right to vote until released from imprisonment.

14 (d) On completion of sentence of imprisonment or upon
15 discharge from probation, conditional discharge or periodic
16 imprisonment, or at any time thereafter, all license rights
17 and privileges granted under the authority of this State
18 which have been revoked or suspended because of conviction of
19 an offense shall be restored unless the authority having
20 jurisdiction of such license rights finds after investigation
21 and hearing that restoration is not in the public interest.
22 This paragraph (d) shall not apply to the suspension or
23 revocation of a license to operate a motor vehicle under the
24 Illinois Vehicle Code.

25 (e) Upon a person's discharge from incarceration or
26 parole, or upon a person's discharge from probation or at any
27 time thereafter, the committing court may enter an order
28 certifying that the sentence has been satisfactorily
29 completed when the court believes it would assist in the
30 rehabilitation of the person and be consistent with the
31 public welfare. Such order may be entered upon the motion of
32 the defendant or the State or upon the court's own motion.

33 (f) Upon entry of the order, the court shall issue to

1 the person in whose favor the order has been entered a
2 certificate stating that his behavior after conviction has
3 warranted the issuance of the order.

4 (g) This Section shall not affect the right of a
5 defendant to collaterally attack his conviction or to rely on
6 it in bar of subsequent proceedings for the same offense.

7 (h) No application for any license or privileges granted
8 under the authority of this State shall be denied by reason
9 of an eligible offender, as defined in Article 5.5 of this
10 Chapter, having been previously convicted of one or more
11 criminal offenses, or by reason of a finding of lack of "good
12 moral character" when the finding is based upon the fact that
13 the applicant has previously been convicted of one or more
14 criminal offenses, unless:

15 (1) there is a direct relationship between one or
16 more of the previous criminal offenses and the specific
17 license sought; or

18 (2) the issuance of the license or the granting of
19 the employment would involve an unreasonable risk to
20 property or to the safety or welfare of specific
21 individuals or the general public.

22 In making such a determination, the licensing agency
23 shall consider the following factors:

24 (1) the public policy of this State, as expressed
25 in Article 5.5 of this Chapter, to encourage the
26 licensure and employment of persons previously convicted
27 of one or more criminal offenses;

28 (2) the specific duties and responsibilities
29 necessarily related to the license or employment being
30 sought;

31 (3) the bearing, if any, the criminal offenses or
32 offenses for which the person was previously convicted
33 will have on his or her fitness or ability to perform one
34 or more such duties and responsibilities;

1 (4) the time which has elapsed since the occurrence
2 of the criminal offense or offenses;

3 (5) the age of the person at the time of occurrence
4 of the criminal offense or offenses;

5 (6) the seriousness of the offense or offenses;

6 (7) any information produced by the person or
7 produced on his or her behalf in regard to his or her
8 rehabilitation and good conduct, including a certificate
9 of relief from disabilities issued to the applicant,
10 which certificate shall create a presumption of
11 rehabilitation in regard to the offense or offenses
12 specified in the certificate; and

13 (8) the legitimate interest of the licensing agency
14 in protecting property, and the safety and welfare of
15 specific individuals or the general public.

16 (i) A certificate of relief from disabilities shall be
17 issued only to restore a license or certification issued
18 under the following Acts:

19 (1) the Animal Welfare Act;

20 (2) the Illinois Athletic Trainers Practice Act;

21 (3) the Barber, Cosmetology, Esthetics, and Nail
22 Technology Act of 1985;

23 (4) the Boiler and Pressure Vessel Repairer
24 Regulation Act;

25 (5) the Professional Boxing Act;

26 (6) the Illinois Certified Shorthand Reporters Act
27 of 1984;

28 (7) the Illinois Farm Labor Contractor
29 Certification Act;

30 (8) the Interior Design Title Act;

31 (9) the Illinois Professional Land Surveyor Act of
32 1989;

33 (10) the Illinois Landscape Architecture Act of
34 1989;

- 1 (11) the Marriage and Family Therapy Licensing Act;
- 2 (12) the Private Employment Agency Act;
- 3 (13) the Professional Counselor and Clinical
- 4 Professional Counselor Licensing Act;
- 5 (14) the Real Estate License Act of 2000; and
- 6 (15) the Illinois Roofing Industry Licensing Act.

7 (Source: P.A. 86-558.)

8 (730 ILCS 5/Chap. V, Art. 5.5 heading new)

9 ARTICLE 5.5. DISCRETIONARY RELIEF FROM FORFEITURES AND
 10 DISABILITIES AUTOMATICALLY IMPOSED BY LAW

11 (730 ILCS 5/5-5.5-5 new)

12 Sec. 5-5.5-5. Definitions and rules of construction. In
 13 this Article:

14 "Eligible offender" shall mean a person who has been
 15 convicted of a crime or of an offense that is not a crime of
 16 violence as defined in Section 2 of the Crime Victims
 17 Compensation Act, but who has not been convicted more than
 18 once of a felony.

19 "Felony" means a conviction of a felony in this State, or
 20 of an offense in any other jurisdiction for which a sentence
 21 to a term of imprisonment in excess of one year, or a
 22 sentence of death, was authorized.

23 For the purposes of this Article the following rules of
 24 construction apply:

25 (i) two or more convictions of felonies charged in
 26 separate counts of one indictment or information shall be
 27 deemed to be one conviction;

28 (ii) two or more convictions of felonies charged in
 29 2 or more indictments or informations, filed in the same
 30 court prior to entry of judgment under any of them, shall
 31 be deemed to be one conviction; and

32 (iii) a plea or a verdict of guilty upon which a

1 sentence of probation, conditional discharge, or
2 supervision has been imposed shall be deemed to be a
3 conviction.

4 (730 ILCS 5/5-5.5-10 new)

5 Sec. 5-5.5-10. Certificate of relief from disabilities.

6 (a) A certificate of relief from disabilities may be
7 granted as provided in this Article to relieve an eligible
8 offender of any forfeiture or disability or to remove any bar
9 to his or her employment automatically imposed by law by
10 reason of his or her conviction of the crime or of the
11 offense specified in the certificate. The certificate may be
12 limited to one or more enumerated forfeitures, disabilities,
13 or bars, or may relieve the eligible offender of all
14 forfeitures, disabilities, and bars. No certificate shall
15 apply, or be construed so as to apply, to the right of the
16 person to retain or to be eligible for public office.

17 (b) Notwithstanding any other provision of law, a
18 conviction of a crime or of an offense specified in a
19 certificate of relief from disabilities does not cause
20 automatic forfeiture of any license, permit, employment, or
21 franchise, including the right to register for or vote at an
22 election, or automatic forfeiture of any other right or
23 privilege held by the eligible offender and covered by the
24 certificate. The conviction may not be deemed to be a
25 conviction within the meaning of any provision of law that
26 imposes, by reason of a conviction, a bar to any employment,
27 a disability to exercise any right or a disability to apply
28 for or to receive any license, permit, or other authority or
29 privilege covered by the certificate; provided, however, a
30 conviction for a second or subsequent violation of Section
31 11-501 of the Illinois Vehicle Code committed within the
32 preceding 10 years shall impose a disability to apply for or
33 receive a driver's license or permit during the period

1 provided in that Code. A certificate of relief from a
2 disability imposed under Section 11-501 of the Illinois
3 Vehicle Code may only be issued upon a determination that
4 compelling circumstances warrant that relief.

5 (c) A certificate of relief from disabilities does not,
6 however, in any way prevent any judicial, administrative,
7 licensing, or other body, board, or authority from relying
8 upon the conviction specified in the certificate as the basis
9 for the exercise of its discretionary power to suspend,
10 revoke, or refuse to issue or refuse to renew any license,
11 permit, or other authority or privilege.

12 (730 ILCS 5/5-5.5-15 new)

13 Sec. 5-5.5-15. Certificates of relief from disabilities
14 issued by courts.

15 (a) Any circuit court of this State may, in its
16 discretion, issue a certificate of relief from disabilities
17 to an eligible offender for a conviction that occurred in
18 that court if the court imposed a sentence other than one
19 executed by commitment to an institution under the Department
20 of Corrections. The certificate may be issued (i) at the time
21 sentence is pronounced, in which case it may grant relief
22 from forfeitures as well as from disabilities, or (ii) at any
23 time thereafter, in which case it shall apply only to
24 disabilities.

25 (b) The certificate may not be issued by the court
26 unless the court is satisfied that:

27 (1) the person to whom it is to be granted is an
28 eligible offender, as defined in Section 5-5.5-5;

29 (2) the relief to be granted by the certificate is
30 consistent with the rehabilitation of the eligible
31 offender; and

32 (3) the relief to be granted by the certificate is
33 consistent with the public interest.

1 (c) If a certificate of relief from disabilities is not
2 issued at the time sentence is pronounced it shall only be
3 issued thereafter upon verified application to the court. The
4 court may, for the purpose of determining whether the
5 certificate shall be issued, request the probation or court
6 services department to conduct an investigation of the
7 applicant. Any probation officer requested to make an
8 investigation under this Section shall prepare and submit to
9 the court a written report in accordance with the request.

10 (d) Any court that has issued a certificate of relief
11 from disabilities may at any time issue a new certificate to
12 enlarge the relief previously granted provided that the
13 provisions of clauses (1) through (3) of subsection (b) of
14 this Section apply to the issuance of any such new
15 certificate.

16 (e) Any written report submitted to the court under this
17 Section is confidential and may not be made available to any
18 person or public or private agency except if specifically
19 required or permitted by statute or upon specific
20 authorization of the court. However, it shall be made
21 available by the court for examination by the applicant's
22 attorney, or the applicant himself or herself, if he or she
23 has no attorney. In its discretion, the court may except from
24 disclosure a part or parts of the report that are not
25 relevant to the granting of a certificate, or sources of
26 information which have been obtained on a promise of
27 confidentiality, or any other portion of the report,
28 disclosure of which would not be in the interest of justice.
29 The action of the court excepting information from disclosure
30 shall be subject to appellate review. The court, in its
31 discretion, may hold a conference in open court or in
32 chambers to afford an applicant an opportunity to controvert
33 or to comment upon any portions of the report. The court may
34 also conduct a summary hearing at the conference on any

1 matter relevant to the granting of the application and may
2 take testimony under oath.

3 (730 ILCS 5/5-5.5-20 new)

4 Sec. 5-5.5-20. Certificates of relief from disabilities
5 issued by the Prisoner Review Board.

6 (a) The Prisoner Review Board shall have the power to
7 issue a certificate of relief from disabilities to:

8 (1) any eligible offender who has been committed
9 to an institution under the jurisdiction of the
10 Department of Corrections. The certificate may be issued
11 by the Board at the time the offender is released from
12 the institution under the conditions of parole or
13 mandatory supervised release or at any time thereafter;
14 or

15 (2) any eligible offender who resides within this
16 State and whose judgment of conviction was rendered by a
17 court in any other jurisdiction.

18 (b) If the Prisoner Review Board has issued a certificate
19 of relief from disabilities, the Board may at any time issue
20 a new certificate enlarging the relief previously granted.

21 (c) The Prisoner Review Board may not issue any
22 certificate of relief from disabilities under subsections (a)
23 or (b), unless the Board is satisfied that:

24 (1) the person to whom it is to be granted is an
25 eligible offender, as defined in Section 5-5.5-5;

26 (2) the relief to be granted by the certificate is
27 consistent with the rehabilitation of the eligible
28 offender; and

29 (3) the relief to be granted by the certificate is
30 consistent with the public interest.

31 (d) Any certificate of relief from disabilities issued
32 by the Prisoner Review Board to an eligible offender, who at
33 time of the issuance of the certificate is under the

1 conditions of parole or mandatory supervised release
2 established by the Board, shall be deemed to be a temporary
3 certificate until such time as the eligible offender is
4 discharged from parole or mandatory supervised release, and,
5 while temporary, the certificate may be revoked by the Board
6 for violation of the conditions of parole or mandatory
7 supervised release. Revocation shall be upon notice to the
8 parolee or releasee, who shall be accorded an opportunity to
9 explain the violation prior to a decision on the revocation
10 of the certificate. If the certificate is not so revoked, it
11 shall become a permanent certificate upon expiration or
12 termination of the offender's parole or mandatory supervised
13 release term.

14 (e) In granting or revoking a certificate of relief from
15 disabilities, the action of the Prisoner Review Board shall
16 be by unanimous vote of the members authorized to grant or
17 revoke parole or mandatory supervised release.

18 (f) The certificate may be limited to one or more
19 enumerated disabilities or bars, or may relieve the
20 individual of all disabilities and bars.

21 (730 ILCS 5/5-5.5-25 new)

22 Sec. 5-5.5-25. Certificate of good conduct.

23 (a) A certificate of good conduct may be granted as
24 provided in this Section to relieve an eligible offender of
25 any disability, or to remove any bar to his or her
26 employment, automatically imposed by law by reason of his or
27 her conviction of the crime or of the offense specified in
28 the certificate. The certificate may be limited to one or
29 more enumerated disabilities or bars or may relieve the
30 individual of all disabilities and bars.

31 (b) Notwithstanding any other provision of law, a
32 conviction of a crime or of an offense specified in a
33 certificate of good conduct may not be deemed to be a

1 conviction within the meaning of any provision of law that
 2 imposes, by reason of a conviction, a bar to any employment,
 3 a disability to exercise any right or a disability to apply
 4 for or to receive any license, permit or other authority or
 5 privilege covered by the certificate.

6 (c) A certificate of good conduct may not, however, in
 7 any way prevent any judicial, administrative, licensing, or
 8 other body, board, or authority from considering the
 9 conviction specified in the certificate in accordance with
 10 the provisions of this Article.

11 (730 ILCS 5/5-5.5-30 new)

12 Sec. 5-5.5-30. Issuance of certificate of good conduct.

13 (a) The Prisoner Review Board, or any 3 members of the
 14 Board by unanimous vote, shall have the power to issue a
 15 certificate of good conduct to any eligible offender
 16 previously convicted of a crime in this State, when the Board
 17 is satisfied that:

18 (1) the applicant has conducted himself or herself
 19 in a manner warranting the issuance for a minimum period
 20 in accordance with the provisions of subsection (c) of
 21 this Section;

22 (2) the relief to be granted by the certificate is
 23 consistent with the rehabilitation of the applicant; and

24 (3) the relief to be granted is consistent with the
 25 public interest.

26 (b) The Prisoner Review Board, or any 3 members of the
 27 Board by unanimous vote, shall have the power to issue a
 28 certificate of good conduct to any person previously
 29 convicted of a crime in any other jurisdiction, when the
 30 Board is satisfied that:

31 (1) the applicant has demonstrated that there exist
 32 specific facts and circumstances and specific Sections of
 33 Illinois State law that have an adverse impact on the

1 applicant and warrant the application for relief to be
2 made in Illinois; and

3 (2) the provisions of paragraphs (1), (2), and (3)
4 of subsection (a) of this Section have been met.

5 (c) The minimum period of good conduct by the individual
6 referred to in paragraph (1) of subsection (a) of this
7 Section, shall be as follows: if the most serious crime of
8 which the individual was convicted is a misdemeanor, the
9 minimum period of good conduct shall be one year; if the most
10 serious crime of which the individual was convicted is a
11 Class 1, 2, 3, or 4 felony, the minimum period of good
12 conduct shall be 3 years; and, if the most serious crime of
13 which the individual was convicted is first degree murder or
14 a Class X felony, the minimum period of good conduct shall be
15 5 years. Criminal acts committed outside the State shall be
16 classified as acts committed within the State based on the
17 maximum sentence that could have been imposed based upon the
18 conviction under the laws of the foreign jurisdiction. The
19 minimum period of good conduct by the individual shall be
20 measured either from the date of the payment of any fine
21 imposed upon him or her, or from the date of his or her
22 release from custody by parole, mandatory supervised release
23 or commutation or termination of his or her sentence. The
24 Board shall have power and it shall be its duty to
25 investigate all persons when the application is made and to
26 grant or deny the same within a reasonable time after the
27 making of the application.

28 (d) If the Prisoner Review Board has issued a certificate
29 of good conduct, the Board may at any time issue a new
30 certificate enlarging the relief previously granted.

31 (e) Any certificate of good conduct by the Prisoner
32 Review Board to an individual who at the time of the issuance
33 of the certificate is under the conditions of parole or
34 mandatory supervised release imposed by the Board shall be

1 deemed to be a temporary certificate until the time as the
 2 individual is discharged from the terms of parole or
 3 mandatory supervised release, and, while temporary, the
 4 certificate may be revoked by the Board for violation of the
 5 conditions of parole or mandatory supervised release.
 6 Revocation shall be upon notice to the parolee or releasee,
 7 who shall be accorded an opportunity to explain the violation
 8 prior to a decision on the revocation. If the certificate is
 9 not so revoked, it shall become a permanent certificate upon
 10 expiration or termination of the offender's parole or
 11 mandatory supervised release term.

12 (730 ILCS 5/5-5.5-35 new)

13 Sec. 5-5.5-35. Effect of revocation; use of revoked
 14 certificate.

15 (a) If a certificate of relief from disabilities is
 16 deemed to be temporary and the certificate is revoked,
 17 disabilities and forfeitures thereby relieved shall be
 18 reinstated as of the date upon which the person to whom the
 19 certificate was issued receives written notice of the
 20 revocation. Any such person shall upon receipt of the notice
 21 surrender the certificate to the issuing court or Board.

22 (b) A person who knowingly uses or attempts to use a
 23 revoked certificate of relief from disabilities in order to
 24 obtain or to exercise any right or privilege that he or she
 25 would not be entitled to obtain or to exercise without a
 26 valid certificate is guilty of a Class A misdemeanor.

27 (730 ILCS 5/5-5.5-40 new)

28 Sec. 5-5.5-40. Forms and filing.

29 (a) All applications, certificates, and orders of
 30 revocation necessary for the purposes of this Article shall
 31 be upon forms prescribed under an agreement among the
 32 Director of Corrections and the Chairman of the Prisoner

1 Review Board and the Chief Justice of the Supreme Court or
 2 his or her designee. The forms relating to certificates of
 3 relief from disabilities shall be distributed by the Director
 4 of the Division of Probation Services and forms relating to
 5 certificates of good conduct shall be distributed by the
 6 Chairman of the Prisoner Review Board.

7 (b) Any court or board issuing or revoking any
 8 certificate under this Article shall immediately file a copy
 9 of the certificate or of the order of revocation with the
 10 Director of State Police.

11 (730 ILCS 5/5-5.5-45 new)

12 Sec. 5-5.5-45. Certificate not to be deemed to be a
 13 pardon. Nothing contained in this Article shall be deemed to
 14 alter or limit or affect the manner of applying for pardons
 15 to the Governor, and no certificate issued under this Article
 16 shall be deemed or construed to be a pardon.

17 (730 ILCS 5/5-5.5-50 new)

18 Sec. 5-5.5-50. Report. The Department of Professional
 19 Regulation shall report to the General Assembly by November
 20 30 of each year, for each occupational licensure category,
 21 the number of licensure applicants with felony convictions,
 22 the number of applicants with certificates of relief from
 23 disabilities, the number of licenses awarded to applicants
 24 with felony convictions, the number of licenses awarded to
 25 applicants with certificates of relief from disabilities, the
 26 number of applicants with felony convictions denied licenses,
 27 and the number of applicants with certificates of relief from
 28 disabilities denied licenses.

29 Section 99. Effective date. This Act takes effect
 30 January 1, 2004.