

SB3716



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3716

Introduced 2/10/2012, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-6-3

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

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning rules and regulations for early release on account of good conduct of persons committed to the Department of Corrections.

LRB097 18995 RLC 64234 b

A BILL FOR

1 AN ACT concerning corrections.

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

4 Section 5. The Unified Code of Corrections is amended by
5 changing Section 3-6-3 as follows:

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

7 Sec. 3-6-3. Rules and Regulations for Early Release.

8 (a) (1) The Department of Corrections shall ~~shall~~
9 prescribe rules and regulations for the early release on
10 account of good conduct of persons committed to the
11 Department which shall be subject to review by the Prisoner
12 Review Board.

13 (2) The rules and regulations on early release shall
14 provide, with respect to offenses listed in clause (i),
15 (ii), or (iii) of this paragraph (2) committed on or after
16 June 19, 1998 or with respect to the offense listed in
17 clause (iv) of this paragraph (2) committed on or after
18 June 23, 2005 (the effective date of Public Act 94-71) or
19 with respect to offense listed in clause (vi) committed on
20 or after June 1, 2008 (the effective date of Public Act
21 95-625) or with respect to the offense of being an armed
22 habitual criminal committed on or after August 2, 2005 (the
23 effective date of Public Act 94-398) or with respect to the

1 offenses listed in clause (v) of this paragraph (2)
2 committed on or after August 13, 2007 (the effective date
3 of Public Act 95-134) or with respect to the offense of
4 aggravated domestic battery committed on or after July 23,
5 2010 (the effective date of Public Act 96-1224), the
6 following:

7 (i) that a prisoner who is serving a term of
8 imprisonment for first degree murder or for the offense
9 of terrorism shall receive no good conduct credit and
10 shall serve the entire sentence imposed by the court;

11 (ii) that a prisoner serving a sentence for attempt
12 to commit first degree murder, solicitation of murder,
13 solicitation of murder for hire, intentional homicide
14 of an unborn child, predatory criminal sexual assault
15 of a child, aggravated criminal sexual assault,
16 criminal sexual assault, aggravated kidnapping,
17 aggravated battery with a firearm as described in
18 Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3),
19 or (e)(4) of Section 12-3.05, heinous battery as
20 described in Section 12-4.1 or subdivision (a)(2) of
21 Section 12-3.05, being an armed habitual criminal,
22 aggravated battery of a senior citizen as described in
23 Section 12-4.6 or subdivision (a)(4) of Section
24 12-3.05, or aggravated battery of a child as described
25 in Section 12-4.3 or subdivision (b)(1) of Section
26 12-3.05 shall receive no more than 4.5 days of good

1 conduct credit for each month of his or her sentence of
2 imprisonment;

3 (iii) that a prisoner serving a sentence for home
4 invasion, armed robbery, aggravated vehicular
5 hijacking, aggravated discharge of a firearm, or armed
6 violence with a category I weapon or category II
7 weapon, when the court has made and entered a finding,
8 pursuant to subsection (c-1) of Section 5-4-1 of this
9 Code, that the conduct leading to conviction for the
10 enumerated offense resulted in great bodily harm to a
11 victim, shall receive no more than 4.5 days of good
12 conduct credit for each month of his or her sentence of
13 imprisonment;

14 (iv) that a prisoner serving a sentence for
15 aggravated discharge of a firearm, whether or not the
16 conduct leading to conviction for the offense resulted
17 in great bodily harm to the victim, shall receive no
18 more than 4.5 days of good conduct credit for each
19 month of his or her sentence of imprisonment;

20 (v) that a person serving a sentence for
21 gunrunning, narcotics racketeering, controlled
22 substance trafficking, methamphetamine trafficking,
23 drug-induced homicide, aggravated
24 methamphetamine-related child endangerment, money
25 laundering pursuant to clause (c) (4) or (5) of Section
26 29B-1 of the Criminal Code of 1961, or a Class X felony

1 conviction for delivery of a controlled substance,
2 possession of a controlled substance with intent to
3 manufacture or deliver, calculated criminal drug
4 conspiracy, criminal drug conspiracy, street gang
5 criminal drug conspiracy, participation in
6 methamphetamine manufacturing, aggravated
7 participation in methamphetamine manufacturing,
8 delivery of methamphetamine, possession with intent to
9 deliver methamphetamine, aggravated delivery of
10 methamphetamine, aggravated possession with intent to
11 deliver methamphetamine, methamphetamine conspiracy
12 when the substance containing the controlled substance
13 or methamphetamine is 100 grams or more shall receive
14 no more than 7.5 days good conduct credit for each
15 month of his or her sentence of imprisonment;

16 (vi) that a prisoner serving a sentence for a
17 second or subsequent offense of luring a minor shall
18 receive no more than 4.5 days of good conduct credit
19 for each month of his or her sentence of imprisonment;
20 and

21 (vii) that a prisoner serving a sentence for
22 aggravated domestic battery shall receive no more than
23 4.5 days of good conduct credit for each month of his
24 or her sentence of imprisonment.

25 (2.1) For all offenses, other than those enumerated in
26 subdivision (a) (2) (i), (ii), or (iii) committed on or after

1 June 19, 1998 or subdivision (a)(2)(iv) committed on or
2 after June 23, 2005 (the effective date of Public Act
3 94-71) or subdivision (a)(2)(v) committed on or after
4 August 13, 2007 (the effective date of Public Act 95-134)
5 or subdivision (a)(2)(vi) committed on or after June 1,
6 2008 (the effective date of Public Act 95-625) or
7 subdivision (a)(2)(vii) committed on or after July 23, 2010
8 (the effective date of Public Act 96-1224), and other than
9 the offense of aggravated driving under the influence of
10 alcohol, other drug or drugs, or intoxicating compound or
11 compounds, or any combination thereof as defined in
12 subparagraph (F) of paragraph (1) of subsection (d) of
13 Section 11-501 of the Illinois Vehicle Code, and other than
14 the offense of aggravated driving under the influence of
15 alcohol, other drug or drugs, or intoxicating compound or
16 compounds, or any combination thereof as defined in
17 subparagraph (C) of paragraph (1) of subsection (d) of
18 Section 11-501 of the Illinois Vehicle Code committed on or
19 after January 1, 2011 (the effective date of Public Act
20 96-1230), the rules and regulations shall provide that a
21 prisoner who is serving a term of imprisonment shall
22 receive one day of good conduct credit for each day of his
23 or her sentence of imprisonment or recommitment under
24 Section 3-3-9. Each day of good conduct credit shall reduce
25 by one day the prisoner's period of imprisonment or
26 recommitment under Section 3-3-9.

1 (2.2) A prisoner serving a term of natural life
2 imprisonment or a prisoner who has been sentenced to death
3 shall receive no good conduct credit.

4 (2.3) The rules and regulations on early release shall
5 provide that a prisoner who is serving a sentence for
6 aggravated driving under the influence of alcohol, other
7 drug or drugs, or intoxicating compound or compounds, or
8 any combination thereof as defined in subparagraph (F) of
9 paragraph (1) of subsection (d) of Section 11-501 of the
10 Illinois Vehicle Code, shall receive no more than 4.5 days
11 of good conduct credit for each month of his or her
12 sentence of imprisonment.

13 (2.4) The rules and regulations on early release shall
14 provide with respect to the offenses of aggravated battery
15 with a machine gun or a firearm equipped with any device or
16 attachment designed or used for silencing the report of a
17 firearm or aggravated discharge of a machine gun or a
18 firearm equipped with any device or attachment designed or
19 used for silencing the report of a firearm, committed on or
20 after July 15, 1999 (the effective date of Public Act
21 91-121), that a prisoner serving a sentence for any of
22 these offenses shall receive no more than 4.5 days of good
23 conduct credit for each month of his or her sentence of
24 imprisonment.

25 (2.5) The rules and regulations on early release shall
26 provide that a prisoner who is serving a sentence for

1 aggravated arson committed on or after July 27, 2001 (the
2 effective date of Public Act 92-176) shall receive no more
3 than 4.5 days of good conduct credit for each month of his
4 or her sentence of imprisonment.

5 (2.6) The rules and regulations on early release shall
6 provide that a prisoner who is serving a sentence for
7 aggravated driving under the influence of alcohol, other
8 drug or drugs, or intoxicating compound or compounds or any
9 combination thereof as defined in subparagraph (C) of
10 paragraph (1) of subsection (d) of Section 11-501 of the
11 Illinois Vehicle Code committed on or after January 1, 2011
12 (the effective date of Public Act 96-1230) shall receive no
13 more than 4.5 days of good conduct credit for each month of
14 his or her sentence of imprisonment.

15 (3) The rules and regulations shall also provide that
16 the Director may award up to 180 days additional good
17 conduct credit for meritorious service in specific
18 instances as the Director deems proper; except that no more
19 than 90 days of good conduct credit for meritorious service
20 shall be awarded to any prisoner who is serving a sentence
21 for conviction of first degree murder, reckless homicide
22 while under the influence of alcohol or any other drug, or
23 aggravated driving under the influence of alcohol, other
24 drug or drugs, or intoxicating compound or compounds, or
25 any combination thereof as defined in subparagraph (F) of
26 paragraph (1) of subsection (d) of Section 11-501 of the

1 Illinois Vehicle Code, aggravated kidnapping, kidnapping,
2 predatory criminal sexual assault of a child, aggravated
3 criminal sexual assault, criminal sexual assault, deviate
4 sexual assault, aggravated criminal sexual abuse,
5 aggravated indecent liberties with a child, indecent
6 liberties with a child, child pornography, heinous battery
7 as described in Section 12-4.1 or subdivision (a)(2) of
8 Section 12-3.05, aggravated battery of a spouse,
9 aggravated battery of a spouse with a firearm, stalking,
10 aggravated stalking, aggravated battery of a child as
11 described in Section 12-4.3 or subdivision (b)(1) of
12 Section 12-3.05, endangering the life or health of a child,
13 or cruelty to a child. Notwithstanding the foregoing, good
14 conduct credit for meritorious service shall not be awarded
15 on a sentence of imprisonment imposed for conviction of:
16 (i) one of the offenses enumerated in subdivision
17 (a)(2)(i), (ii), or (iii) when the offense is committed on
18 or after June 19, 1998 or subdivision (a)(2)(iv) when the
19 offense is committed on or after June 23, 2005 (the
20 effective date of Public Act 94-71) or subdivision
21 (a)(2)(v) when the offense is committed on or after August
22 13, 2007 (the effective date of Public Act 95-134) or
23 subdivision (a)(2)(vi) when the offense is committed on or
24 after June 1, 2008 (the effective date of Public Act
25 95-625) or subdivision (a)(2)(vii) when the offense is
26 committed on or after July 23, 2010 (the effective date of

1 Public Act 96-1224), (ii) aggravated driving under the
2 influence of alcohol, other drug or drugs, or intoxicating
3 compound or compounds, or any combination thereof as
4 defined in subparagraph (F) of paragraph (1) of subsection
5 (d) of Section 11-501 of the Illinois Vehicle Code, (iii)
6 one of the offenses enumerated in subdivision (a) (2.4) when
7 the offense is committed on or after July 15, 1999 (the
8 effective date of Public Act 91-121), (iv) aggravated arson
9 when the offense is committed on or after July 27, 2001
10 (the effective date of Public Act 92-176), (v) offenses
11 that may subject the offender to commitment under the
12 Sexually Violent Persons Commitment Act, or (vi)
13 aggravated driving under the influence of alcohol, other
14 drug or drugs, or intoxicating compound or compounds or any
15 combination thereof as defined in subparagraph (C) of
16 paragraph (1) of subsection (d) of Section 11-501 of the
17 Illinois Vehicle Code committed on or after January 1, 2011
18 (the effective date of Public Act 96-1230).

19 The Director shall not award good conduct credit for
20 meritorious service under this paragraph (3) to an inmate
21 unless the inmate has served a minimum of 60 days of the
22 sentence; except nothing in this paragraph shall be
23 construed to permit the Director to extend an inmate's
24 sentence beyond that which was imposed by the court. Prior
25 to awarding credit under this paragraph (3), the Director
26 shall make a written determination that the inmate:

1 (A) is eligible for good conduct credit for
2 meritorious service;

3 (B) has served a minimum of 60 days, or as close to
4 60 days as the sentence will allow; and

5 (C) has met the eligibility criteria established
6 by rule.

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

9 (4) The rules and regulations shall also provide that
10 the good conduct credit accumulated and retained under
11 paragraph (2.1) of subsection (a) of this Section by any
12 inmate during specific periods of time in which such inmate
13 is engaged full-time in substance abuse programs,
14 correctional industry assignments, or educational programs
15 provided by the Department under this paragraph (4) and
16 satisfactorily completes the assigned program as
17 determined by the standards of the Department, shall be
18 multiplied by a factor of 1.25 for program participation
19 before August 11, 1993 and 1.50 for program participation
20 on or after that date. However, no inmate shall be eligible
21 for the additional good conduct credit under this paragraph
22 (4) or (4.1) of this subsection (a) while assigned to a
23 boot camp or electronic detention, or if convicted of an
24 offense enumerated in subdivision (a)(2)(i), (ii), or
25 (iii) of this Section that is committed on or after June
26 19, 1998 or subdivision (a)(2)(iv) of this Section that is

1 committed on or after June 23, 2005 (the effective date of
2 Public Act 94-71) or subdivision (a)(2)(v) of this Section
3 that is committed on or after August 13, 2007 (the
4 effective date of Public Act 95-134) or subdivision
5 (a)(2)(vi) when the offense is committed on or after June
6 1, 2008 (the effective date of Public Act 95-625) or
7 subdivision (a)(2)(vii) when the offense is committed on or
8 after July 23, 2010 (the effective date of Public Act
9 96-1224), or if convicted of aggravated driving under the
10 influence of alcohol, other drug or drugs, or intoxicating
11 compound or compounds or any combination thereof as defined
12 in subparagraph (F) of paragraph (1) of subsection (d) of
13 Section 11-501 of the Illinois Vehicle Code, or if
14 convicted of aggravated driving under the influence of
15 alcohol, other drug or drugs, or intoxicating compound or
16 compounds or any combination thereof as defined in
17 subparagraph (C) of paragraph (1) of subsection (d) of
18 Section 11-501 of the Illinois Vehicle Code committed on or
19 after January 1, 2011 (the effective date of Public Act
20 96-1230), or if convicted of an offense enumerated in
21 paragraph (a)(2.4) of this Section that is committed on or
22 after July 15, 1999 (the effective date of Public Act
23 91-121), or first degree murder, a Class X felony, criminal
24 sexual assault, felony criminal sexual abuse, aggravated
25 criminal sexual abuse, aggravated battery with a firearm as
26 described in Section 12-4.2 or subdivision (e)(1), (e)(2),

1 (e) (3), or (e) (4) of Section 12-3.05, or any predecessor or
2 successor offenses with the same or substantially the same
3 elements, or any inchoate offenses relating to the
4 foregoing offenses. No inmate shall be eligible for the
5 additional good conduct credit under this paragraph (4) who
6 (i) has previously received increased good conduct credit
7 under this paragraph (4) and has subsequently been
8 convicted of a felony, or (ii) has previously served more
9 than one prior sentence of imprisonment for a felony in an
10 adult correctional facility.

11 Educational, vocational, substance abuse and
12 correctional industry programs under which good conduct
13 credit may be increased under this paragraph (4) and
14 paragraph (4.1) of this subsection (a) shall be evaluated
15 by the Department on the basis of documented standards. The
16 Department shall report the results of these evaluations to
17 the Governor and the General Assembly by September 30th of
18 each year. The reports shall include data relating to the
19 recidivism rate among program participants.

20 Availability of these programs shall be subject to the
21 limits of fiscal resources appropriated by the General
22 Assembly for these purposes. Eligible inmates who are
23 denied immediate admission shall be placed on a waiting
24 list under criteria established by the Department. The
25 inability of any inmate to become engaged in any such
26 programs by reason of insufficient program resources or for

1 any other reason established under the rules and
2 regulations of the Department shall not be deemed a cause
3 of action under which the Department or any employee or
4 agent of the Department shall be liable for damages to the
5 inmate.

6 (4.1) The rules and regulations shall also provide that
7 an additional 60 days of good conduct credit shall be
8 awarded to any prisoner who passes the high school level
9 Test of General Educational Development (GED) while the
10 prisoner is incarcerated. The good conduct credit awarded
11 under this paragraph (4.1) shall be in addition to, and
12 shall not affect, the award of good conduct under any other
13 paragraph of this Section, but shall also be pursuant to
14 the guidelines and restrictions set forth in paragraph (4)
15 of subsection (a) of this Section. The good conduct credit
16 provided for in this paragraph shall be available only to
17 those prisoners who have not previously earned a high
18 school diploma or a GED. If, after an award of the GED good
19 conduct credit has been made and the Department determines
20 that the prisoner was not eligible, then the award shall be
21 revoked.

22 (4.5) The rules and regulations on early release shall
23 also provide that when the court's sentencing order
24 recommends a prisoner for substance abuse treatment and the
25 crime was committed on or after September 1, 2003 (the
26 effective date of Public Act 93-354), the prisoner shall

1 receive no good conduct credit awarded under clause (3) of
2 this subsection (a) unless he or she participates in and
3 completes a substance abuse treatment program. The
4 Director may waive the requirement to participate in or
5 complete a substance abuse treatment program and award the
6 good conduct credit in specific instances if the prisoner
7 is not a good candidate for a substance abuse treatment
8 program for medical, programming, or operational reasons.
9 Availability of substance abuse treatment shall be subject
10 to the limits of fiscal resources appropriated by the
11 General Assembly for these purposes. If treatment is not
12 available and the requirement to participate and complete
13 the treatment has not been waived by the Director, the
14 prisoner shall be placed on a waiting list under criteria
15 established by the Department. The Director may allow a
16 prisoner placed on a waiting list to participate in and
17 complete a substance abuse education class or attend
18 substance abuse self-help meetings in lieu of a substance
19 abuse treatment program. A prisoner on a waiting list who
20 is not placed in a substance abuse program prior to release
21 may be eligible for a waiver and receive good conduct
22 credit under clause (3) of this subsection (a) at the
23 discretion of the Director.

24 (4.6) The rules and regulations on early release shall
25 also provide that a prisoner who has been convicted of a
26 sex offense as defined in Section 2 of the Sex Offender

1 Registration Act shall receive no good conduct credit
2 unless he or she either has successfully completed or is
3 participating in sex offender treatment as defined by the
4 Sex Offender Management Board. However, prisoners who are
5 waiting to receive such treatment, but who are unable to do
6 so due solely to the lack of resources on the part of the
7 Department, may, at the Director's sole discretion, be
8 awarded good conduct credit at such rate as the Director
9 shall determine.

10 (5) Whenever the Department is to release any inmate
11 earlier than it otherwise would because of a grant of good
12 conduct credit for meritorious service given at any time
13 during the term, the Department shall give reasonable
14 notice of the impending release not less than 14 days prior
15 to the date of the release to the State's Attorney of the
16 county where the prosecution of the inmate took place, and
17 if applicable, the State's Attorney of the county into
18 which the inmate will be released. The Department must also
19 make identification information and a recent photo of the
20 inmate being released accessible on the Internet by means
21 of a hyperlink labeled "Community Notification of Inmate
22 Early Release" on the Department's World Wide Web homepage.
23 The identification information shall include the inmate's:
24 name, any known alias, date of birth, physical
25 characteristics, residence address, commitment offense and
26 county where conviction was imposed. The identification

1 information shall be placed on the website within 3 days of
2 the inmate's release and the information may not be removed
3 until either: completion of the first year of mandatory
4 supervised release or return of the inmate to custody of
5 the Department.

6 (b) Whenever a person is or has been committed under
7 several convictions, with separate sentences, the sentences
8 shall be construed under Section 5-8-4 in granting and
9 forfeiting of good time.

10 (c) The Department shall prescribe rules and regulations
11 for revoking good conduct credit, or suspending or reducing the
12 rate of accumulation of good conduct credit for specific rule
13 violations, during imprisonment. These rules and regulations
14 shall provide that no inmate may be penalized more than one
15 year of good conduct credit for any one infraction.

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

1 conduct credit. The Board may subsequently approve the
2 revocation of additional good conduct credit, if the Department
3 seeks to revoke good conduct credit in excess of 30 days.
4 However, the Board shall not be empowered to review the
5 Department's decision with respect to the loss of 30 days of
6 good conduct credit within any calendar year for any prisoner
7 or to increase any penalty beyond the length requested by the
8 Department.

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

16 Nothing contained in this Section shall prohibit the
17 Prisoner Review Board from ordering, pursuant to Section
18 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the
19 sentence imposed by the court that was not served due to the
20 accumulation of good conduct credit.

21 (d) If a lawsuit is filed by a prisoner in an Illinois or
22 federal court against the State, the Department of Corrections,
23 or the Prisoner Review Board, or against any of their officers
24 or employees, and the court makes a specific finding that a
25 pleading, motion, or other paper filed by the prisoner is
26 frivolous, the Department of Corrections shall conduct a

1 hearing to revoke up to 180 days of good conduct credit by
2 bringing charges against the prisoner sought to be deprived of
3 the good conduct credits before the Prisoner Review Board as
4 provided in subparagraph (a) (8) of Section 3-3-2 of this Code.
5 If the prisoner has not accumulated 180 days of good conduct
6 credit at the time of the finding, then the Prisoner Review
7 Board may revoke all good conduct credit accumulated by the
8 prisoner.

9 For purposes of this subsection (d):

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

14 (A) it lacks an arguable basis either in law or in
15 fact;

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

19 (C) the claims, defenses, and other legal
20 contentions therein are not warranted by existing law
21 or by a nonfrivolous argument for the extension,
22 modification, or reversal of existing law or the
23 establishment of new law;

24 (D) the allegations and other factual contentions
25 do not have evidentiary support or, if specifically so
26 identified, are not likely to have evidentiary support

1 after a reasonable opportunity for further
2 investigation or discovery; or

3 (E) the denials of factual contentions are not
4 warranted on the evidence, or if specifically so
5 identified, are not reasonably based on a lack of
6 information or belief.

7 (2) "Lawsuit" means a motion pursuant to Section 116-3
8 of the Code of Criminal Procedure of 1963, a habeas corpus
9 action under Article X of the Code of Civil Procedure or
10 under federal law (28 U.S.C. 2254), a petition for claim
11 under the Court of Claims Act, an action under the federal
12 Civil Rights Act (42 U.S.C. 1983), or a second or
13 subsequent petition for post-conviction relief under
14 Article 122 of the Code of Criminal Procedure of 1963
15 whether filed with or without leave of court or a second or
16 subsequent petition for relief from judgment under Section
17 2-1401 of the Code of Civil Procedure.

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

20 (f) Whenever the Department is to release any inmate who
21 has been convicted of a violation of an order of protection
22 under Section 12-3.4 or 12-30 of the Criminal Code of 1961,
23 earlier than it otherwise would because of a grant of good
24 conduct credit, the Department, as a condition of such early
25 release, shall require that the person, upon release, be placed
26 under electronic surveillance as provided in Section 5-8A-7 of

1 this Code.

2 (Source: P.A. 95-134, eff. 8-13-07; 95-585, eff. 6-1-08;
3 95-625, eff. 6-1-08; 95-640, eff. 6-1-08; 95-773, eff. 1-1-09;
4 95-876, eff. 8-21-08; 96-860, eff. 1-15-10; 96-1110, eff.
5 7-19-10; 96-1128, eff. 1-1-11; 96-1200, eff. 7-22-10; 96-1224,
6 eff. 7-23-10; 96-1230, eff. 1-1-11; 96-1551, eff. 7-1-11;
7 97-333, eff. 8-12-11.)