



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB1854

Introduced 2/15/2013, by Sen. Tim Bivins

#### SYNOPSIS AS INTRODUCED:

730 ILCS 5/5-1-10

from Ch. 38, par. 1005-1-10

730 ILCS 5/5-8A-8 new

Amends the Unified Code of Corrections. Amends the definition of "imprisonment" to include electronic home detention served by an offender after the offender has been committed to the custody of the sheriff to serve the sentence and the sheriff has placed the offender in an electronic home detention program. Provides that when an offender is sentenced under a provision of law that requires the sentence to include a minimum term of imprisonment and the offender is committed to the custody of the sheriff to serve the sentence, the sheriff may place the offender in an electronic home detention program for service of that minimum term of imprisonment unless the offender was convicted of an excluded offense as defined in the Electronic Home Detention Law or the court's sentencing order specifies that the minimum term of imprisonment shall be served in a county correctional facility.

LRB098 08601 RLC 38719 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Unified Code of Corrections is amended by  
5 changing Section 5-1-10 and adding Section 5-8A-8 as follows:

6 (730 ILCS 5/5-1-10) (from Ch. 38, par. 1005-1-10)

7 Sec. 5-1-10. Imprisonment.

8 "Imprisonment" means incarceration in a correctional  
9 institution under a sentence of imprisonment and does not  
10 include "periodic imprisonment" under Article 7.  
11 "Imprisonment" also includes electronic home detention served  
12 by an offender after (i) the offender has been committed to the  
13 custody of the sheriff to serve the sentence and (ii) the  
14 sheriff has placed the offender in an electronic home detention  
15 program in accordance with Article 8A of Chapter V of this  
16 Code.

17 (Source: P.A. 77-2097.)

18 (730 ILCS 5/5-8A-8 new)

19 Sec. 5-8A-8. Service of a minimum term of imprisonment.  
20 When an offender is sentenced under a provision of law that  
21 requires the sentence to include a minimum term of imprisonment  
22 and the offender is committed to the custody of the sheriff to

1 serve the sentence, the sheriff may place the offender in an  
2 electronic home detention program for service of that minimum  
3 term of imprisonment unless (i) the offender was convicted of  
4 an excluded offense or (ii) the court's sentencing order  
5 specifies that the minimum term of imprisonment shall be served  
6 in a county correctional facility.