



Rep. Derrick Smith

Filed: 5/8/2014

09800SB3267ham002

LRB098 17826 RLC 59251 a

1 AMENDMENT TO SENATE BILL 3267

2 AMENDMENT NO. _____. Amend Senate Bill 3267 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by
5 changing Section 5-6-2 as follows:

6 (730 ILCS 5/5-6-2) (from Ch. 38, par. 1005-6-2)

7 Sec. 5-6-2. Incidents of Probation and of Conditional
8 Discharge.

9 (a) When an offender is sentenced to probation or
10 conditional discharge, the court shall impose a period as
11 provided in Article 4.5 of Chapter V, and shall specify the
12 conditions under Section 5-6-3.

13 (b) Multiple terms of probation imposed at the same time
14 shall run concurrently.

15 (c) The court may at any time terminate probation or
16 conditional discharge if warranted by the conduct of the

1 offender and the ends of justice, as provided in Section 5-6-4.

2 (c-1) For purposes of this subsection (c-1), a "violent
3 offense" means an offense in which bodily harm is inflicted or
4 force is used against any person or threatened against any
5 person; an offense involving sexual conduct, sexual
6 penetration, or sexual exploitation; an offense involving
7 domestic violence; an offense of domestic battery, violation of
8 an order of protection, stalking, or hate crime; an offense of
9 driving under the influence of drugs or alcohol; or an offense
10 involving the possession of a firearm or dangerous weapon. An
11 offender, other than an offender sentenced on a violent
12 offense, shall be entitled to a time credit toward the
13 completion of the offender's probation or conditional
14 discharge as follows:

15 (1) For obtaining a high school diploma or GED: 90
16 days.

17 (2) For obtaining an associate's degree, career
18 certificate, or vocational technical certification: 120
19 days.

20 (3) For obtaining a bachelor's degree: 180 days.

21 An offender's supervising officer shall promptly and as
22 soon as practicable notify the court of the offender's right to
23 time credits under this subsection (c-1). Upon receipt of this
24 notification, the court shall enter an order modifying the
25 offender's remaining period of probation or conditional
26 discharge to reflect the time credit earned. If, before the

1 expiration of the original period or a reduced period of
2 probation or conditional discharge, the court, after a hearing
3 under Section 5-6-4 of this Code, finds that an offender
4 violated one or more conditions of probation or conditional
5 discharge, the court may order that some or all of the time
6 credit to which the offender is entitled under this Section be
7 forfeited.

8 (d) Upon the expiration or termination of the period of
9 probation or of conditional discharge, the court shall enter an
10 order discharging the offender.

11 (e) The court may extend any period of probation or
12 conditional discharge beyond the limits set forth in Article
13 4.5 of Chapter V upon a violation of a condition of the
14 probation or conditional discharge, for the payment of an
15 assessment required by Section 10.3 of the Cannabis Control
16 Act, Section 411.2 of the Illinois Controlled Substances Act,
17 or Section 80 of the Methamphetamine Control and Community
18 Protection Act, or for the payment of restitution as provided
19 by an order of restitution under Section 5-5-6 of this Code.

20 (f) The court may impose a term of probation that is
21 concurrent or consecutive to a term of imprisonment so long as
22 the maximum term imposed does not exceed the maximum term
23 provided under Article 4.5 of Chapter V or Article 8 of this
24 Chapter. The court may provide that probation may commence
25 while an offender is on mandatory supervised release,
26 participating in a day release program, or being monitored by

1 an electronic monitoring device.

2 (Source: P.A. 94-556, eff. 9-11-05; 95-1052, eff. 7-1-09.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".