

1 AN ACT concerning criminal law, which may be referred to as
2 the Incentivized Education and Family Support for Community
3 Corrections Amendments.

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

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

8 (730 ILCS 5/5-6-2) (from Ch. 38, par. 1005-6-2)

9 Sec. 5-6-2. Incidents of Probation and of Conditional
10 Discharge.

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

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

17 (c) The court may at any time terminate probation or
18 conditional discharge if warranted by the conduct of the
19 offender and the ends of justice, as provided in Section 5-6-4.

20 (c-1) For purposes of this subsection (c-1), a "violent
21 offense" means an offense in which bodily harm is inflicted or
22 force is used against any person or threatened against any
23 person; an offense involving sexual conduct, sexual

1 penetration, or sexual exploitation; an offense involving
2 domestic violence; an offense of domestic battery, violation of
3 an order of protection, stalking, or hate crime; an offense of
4 driving under the influence of drugs or alcohol; or an offense
5 involving the possession of a firearm or dangerous weapon. An
6 offender, other than an offender sentenced on a violent
7 offense, shall be entitled to a time credit toward the
8 completion of the offender's probation or conditional
9 discharge as follows:

10 (1) For obtaining a high school diploma or GED: 90
11 days.

12 (2) For obtaining an associate's degree, career
13 certificate, or vocational technical certification: 120
14 days.

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

16 An offender's supervising officer shall promptly and as
17 soon as practicable notify the court of the offender's right to
18 time credits under this subsection (c-1). Upon receipt of this
19 notification, the court shall enter an order modifying the
20 offender's remaining period of probation or conditional
21 discharge to reflect the time credit earned. If, before the
22 expiration of the original period or a reduced period of
23 probation or conditional discharge, the court, after a hearing
24 under Section 5-6-4 of this Code, finds that an offender
25 violated one or more conditions of probation or conditional
26 discharge, the court may order that some or all of the time

1 credit to which the offender is entitled under this Section be
2 forfeited.

3 (d) Upon the expiration or termination of the period of
4 probation or of conditional discharge, the court shall enter an
5 order discharging the offender.

6 (e) The court may extend any period of probation or
7 conditional discharge beyond the limits set forth in Article
8 4.5 of Chapter V upon a violation of a condition of the
9 probation or conditional discharge, for the payment of an
10 assessment required by Section 10.3 of the Cannabis Control
11 Act, Section 411.2 of the Illinois Controlled Substances Act,
12 or Section 80 of the Methamphetamine Control and Community
13 Protection Act, or for the payment of restitution as provided
14 by an order of restitution under Section 5-5-6 of this Code.

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

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.