



Rep. Kevin John Olickal

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LRB104 09580 RLC 30506 a

1 AMENDMENT TO HOUSE BILL 2348

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2348 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by  
5 changing Sections 3-3-1, 3-3-2, and 3-3-3 as follows:

6 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

7 Sec. 3-3-1. Establishment and appointment of Prisoner  
8 Review Board.

9 (a) There shall be a Prisoner Review Board independent of  
10 the Department which shall be:

11 (1) the paroling authority for persons sentenced under  
12 the law in effect prior to the effective date of this  
13 amendatory Act of 1977;

14 (1.2) the paroling authority for persons eligible for  
15 parole review under Section 5-4.5-115;

16 (1.5) (blank);

1           (1.10) the authority for setting conditions for  
2           mandatory supervised release under subsection (f) of  
3           Section 3-3-3 of this Code and determining whether a  
4           violation of those conditions warrant revocation of  
5           mandatory supervised release or the imposition of other  
6           sanctions;

7           (2) the board of review for cases involving the  
8           revocation of sentence credits or a suspension or  
9           reduction in the rate of accumulating the credit;

10          (3) the board of review and recommendation for the  
11          exercise of executive clemency by the Governor;

12          (4) the authority for establishing release dates for  
13          certain prisoners sentenced under the law in existence  
14          prior to the effective date of this amendatory Act of  
15          1977, in accordance with Section 3-3-2.1 of this Code;

16          (5) the authority for setting conditions for parole  
17          and mandatory supervised release under Section 5-8-1(a) of  
18          this Code, and determining whether a violation of those  
19          conditions warrant revocation of parole or mandatory  
20          supervised release or the imposition of other sanctions;

21          (6) the authority for determining whether a violation  
22          of aftercare release conditions warrant revocation of  
23          aftercare release; and

24          (7) the authority to release medically infirm or  
25          disabled prisoners under Section 3-3-14.

26          (b) The Board shall consist of 15 persons appointed by the

1 Governor by and with the advice and consent of the Senate. One  
2 member of the Board shall be designated by the Governor to be  
3 Chairman and shall serve as Chairman at the pleasure of the  
4 Governor. The members of the Board shall have had at least 5  
5 years of actual experience in the fields of penology,  
6 corrections work, advocacy for victims of crime and their  
7 families, advocacy for survivors of domestic violence, sexual  
8 violence, or intimate partner violence, law enforcement,  
9 sociology, law, education, social work, medicine, psychology,  
10 other behavioral sciences, or a combination thereof. At least  
11 3 members so appointed must have at least 3 years experience in  
12 juvenile matters. A total of 7 members must have at least 5  
13 years' experience as a law enforcement officer, parole  
14 officer, prosecutor, criminal defense attorney, or judge. No  
15 more than 8 Board members may be members of the same political  
16 party.

17 Each member of the Board shall serve on a full-time basis  
18 and shall not hold any other salaried public office, whether  
19 elective or appointive, nor any other office or position of  
20 profit, nor engage in any other business, employment, or  
21 vocation. The Chairman of the Board shall receive the same  
22 salary as the Chairperson of the Illinois Human Rights  
23 Commission, and each other member shall receive the same  
24 salary as members of the Illinois Human Rights Commission. The  
25 changes made to the salary of the Chairman of the Board and to  
26 the salaries of other members of the Board by this amendatory

1 Act of the 104th General Assembly apply only to persons who are  
2 appointed or reappointed to those positions on or after the  
3 effective date of this amendatory Act of the 104th General  
4 Assembly.

5 (c) Notwithstanding any other provision of this Section,  
6 the term of each member of the Board who was appointed by the  
7 Governor and is in office on June 30, 2003 shall terminate at  
8 the close of business on that date or when all of the successor  
9 members to be appointed pursuant to this amendatory Act of the  
10 93rd General Assembly have been appointed by the Governor,  
11 whichever occurs later. As soon as possible, the Governor  
12 shall appoint persons to fill the vacancies created by this  
13 amendatory Act.

14 Of the initial members appointed under this amendatory Act  
15 of the 93rd General Assembly, the Governor shall appoint 5  
16 members whose terms shall expire on the third Monday in  
17 January 2005, 5 members whose terms shall expire on the third  
18 Monday in January 2007, and 5 members whose terms shall expire  
19 on the third Monday in January 2009. Their respective  
20 successors shall be appointed for terms of 6 years from the  
21 third Monday in January of the year of appointment. Each  
22 member shall serve until his or her successor is appointed and  
23 qualified.

24 Notwithstanding any other provision of this Section, any  
25 member appointed after January 1, 2026 shall be appointed for  
26 an 8-year term that begins upon the date of appointment or

1 reappointment. Each member shall serve until the member's  
2 successor is appointed and qualified.

3 Any member may be removed by the Governor for  
4 incompetence, neglect of duty, malfeasance or inability to  
5 serve.

6 (d) The Chairman of the Board shall be its chief executive  
7 and administrative officer. The Board may have an Executive  
8 Director; if so, the Executive Director shall be appointed by  
9 the Governor with the advice and consent of the Senate. The  
10 salary and duties of the Executive Director shall be fixed by  
11 the Board.

12 (e) Each member and commissioner of the Prisoner Review  
13 Board shall be required to complete a training course  
14 developed and administered in consultation with the Department  
15 of Corrections. The training shall be provided to new members  
16 and commissioners of the Prisoner Review Board within 30 days  
17 of the start of their service and before they take part in any  
18 hearings. The training shall cover topics, including, but not  
19 limited to:

20 (1) the prison and incarceration system, including a  
21 tour of a correctional institution or facility and a  
22 meeting with the facility administration;

23 (2) the nature and benefits of rehabilitative  
24 corrections;

25 (3) rehabilitative programming provided by the  
26 Department of Corrections available to incarcerated

1 individuals; and

2 (4) the impact of rehabilitative corrections and  
3 programming on rates of recidivism.

4 In addition to the training course, each member and  
5 commissioner of the Board shall also be required to  
6 participate in 20 hours of continuing education or training  
7 per year. Training shall cover, but shall not be limited to,  
8 the following topics: domestic violence, restorative justice,  
9 racial bias, risk assessment bias, law enforcement bias,  
10 prevalence of wrongful convictions, prosecutorial misconduct,  
11 police misconduct, mental health, cognitive behavioral  
12 therapy, trauma, the age-crime curve, recidivism, and the  
13 benefits of rehabilitative, educational, vocational, and  
14 health, programming in correctional facilities. Documentation  
15 of completion shall be submitted to and recorded by the  
16 Department of Corrections and made available to the public  
17 upon request.

18 The 20 hours of continuing education or training per year  
19 required in this subsection shall include a training course  
20 developed and administered by the entity administering the  
21 Illinois Domestic Violence Hotline. The training shall be  
22 provided to new members and commissioners of the Prisoner  
23 Review Board within 30 days of the start of their service and  
24 before they take part in any hearings.

25 This training shall be tailored specifically to the  
26 members of the Board and shall cover topics, including, but

1 not limited to:

2 (1) the nature, extent, causes, and lethality of  
3 domestic violence and gender-based violence;

4 (2) implicit and explicit biases toward parties  
5 involved in domestic violence and gender-based violence;

6 (3) criminalization of survivors of domestic violence  
7 and gender-based violence;

8 (4) behavioral patterns and relationship dynamics  
9 within the cycle of violence;

10 (5) safety planning and procedures designed to promote  
11 the safety of victims of domestic violence and  
12 gender-based violence and their household members;

13 (6) resources available to victims of domestic  
14 violence and gender-based violence and their household  
15 members; and

16 (7) the Illinois Domestic Violence Act of 1986, the  
17 Stalking No Contact Order Act, the Civil No Contact Order  
18 Act, and the legal process regarding protective orders.

19 (f) The Board may appoint commissioners to assist it in  
20 such manner as it directs and may discharge them at will.  
21 Commissioners shall not be subject to the Personnel Code. Any  
22 commissioner appointed shall be an attorney licensed to  
23 practice law in the State of Illinois. The Board in its  
24 discretion may assign any hearing to a commissioner, except  
25 that, in hearings requiring a quorum of the Board, only  
26 members shall participate, and in hearings requiring at least

1 3 members, at least 2 members shall participate. No  
2 commissioner may act as the lead member or point of contact for  
3 any institutional hearing.

4 (Source: P.A. 104-11, eff. 6-20-25.)

5 (730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

6 Sec. 3-3-2. Powers and duties.

7 (a) The Parole and Pardon Board is abolished and the term  
8 "Parole and Pardon Board" as used in any law of Illinois, shall  
9 read "Prisoner Review Board." After February 1, 1978 (the  
10 effective date of Public Act 81-1099), the Prisoner Review  
11 Board shall provide by rule for the orderly transition of all  
12 files, records, and documents of the Parole and Pardon Board  
13 and for such other steps as may be necessary to effect an  
14 orderly transition and shall:

15 (1) hear by at least one member and through a panel of  
16 at least 3 members decide, cases of prisoners who were  
17 sentenced under the law in effect prior to February 1,  
18 1978 (the effective date of Public Act 81-1099), and who  
19 are eligible for parole;

20 (2) hear by at least one member and through a panel of  
21 at least 3 members decide, the conditions of parole and  
22 the time of discharge from parole, impose sanctions for  
23 violations of parole, and revoke parole for those  
24 sentenced under the law in effect prior to February 1,  
25 1978 (the effective date of Public Act 81-1099); provided

1           that the decision to parole and the conditions of parole  
2           for all prisoners who were sentenced for first degree  
3           murder or who received a minimum sentence of 20 years or  
4           more under the law in effect prior to February 1, 1978  
5           shall be determined by a majority vote of the Prisoner  
6           Review Board. One representative supporting parole and one  
7           representative opposing parole will be allowed to speak.  
8           Their comments shall be limited to making corrections and  
9           filling in omissions to the Board's presentation and  
10          discussion;

11           (3) hear by at least one member and through a panel of  
12          at least 3 members decide, the conditions of mandatory  
13          supervised release and the time of discharge from  
14          mandatory supervised release, impose sanctions for  
15          violations of mandatory supervised release, and revoke  
16          mandatory supervised release for those sentenced under the  
17          law in effect after February 1, 1978 (the effective date  
18          of Public Act 81-1099);

19           (3.5) hear by at least one member and through a panel  
20          of at least 3 members decide, the conditions of mandatory  
21          supervised release and the time of discharge from  
22          mandatory supervised release, to impose sanctions for  
23          violations of mandatory supervised release and revoke  
24          mandatory supervised release for those serving extended  
25          supervised release terms pursuant to paragraph (4) of  
26          subsection (d) of Section 5-8-1;

1           (3.6) hear by at least one member and through a panel  
2 of at least 3 members decide whether to revoke aftercare  
3 release for those committed to the Department of Juvenile  
4 Justice under the Juvenile Court Act of 1987;

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

24           (5) hear by at least one member and through a panel of  
25 at least 3 members decide, the release dates for certain  
26 prisoners sentenced under the law in existence prior to

1 February 1, 1978 (the effective date of Public Act  
2 81-1099), in accordance with Section 3-3-2.1 of this Code;

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

7 (6.5) hear by at least one member who is qualified in  
8 the field of juvenile matters and through a panel of at  
9 least 3 members, 2 of whom are qualified in the field of  
10 juvenile matters, decide parole review cases in accordance  
11 with Section 5-4.5-115 of this Code and make release  
12 determinations of persons under the age of 21 at the time  
13 of the commission of an offense or offenses, other than  
14 those persons serving sentences for first degree murder or  
15 aggravated criminal sexual assault;

16 (6.6) hear by at least a quorum of the Prisoner Review  
17 Board and decide by a majority of members present at the  
18 hearing, in accordance with Section 5-4.5-115 of this  
19 Code, release determinations of persons under the age of  
20 21 at the time of the commission of an offense or offenses  
21 of those persons serving sentences for first degree murder  
22 or aggravated criminal sexual assault;

23 (6.7) hear by at least one member and through a panel  
24 of at least 3 members determine the conditions of  
25 mandatory supervised release, determine the time of  
26 discharge from mandatory supervised release, impose

1       sanctions for violations of mandatory supervised release,  
2       and revoke mandatory supervised release for those  
3       sentenced under subsection (f) of Section 3-3-3 of this  
4       Code;

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

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

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

21           (10) upon a petition by a person who has been  
22       convicted of a Class 3 or Class 4 felony and who meets the  
23       requirements of this paragraph, hear by at least 3 members  
24       and, with the unanimous vote of a panel of 3 members, issue  
25       a certificate of eligibility for sealing recommending that  
26       the court order the sealing of all official records of the

1       arresting authority, the circuit court clerk, and the  
2       Illinois State Police concerning the arrest and conviction  
3       for the Class 3 or 4 felony. A person may not apply to the  
4       Board for a certificate of eligibility for sealing:

5               (A) until 5 years have elapsed since the  
6       expiration of his or her sentence;

7               (B) until 5 years have elapsed since any arrests  
8       or detentions by a law enforcement officer for an  
9       alleged violation of law, other than a petty offense,  
10      traffic offense, conservation offense, or local  
11      ordinance offense;

12              (C) if convicted of a violation of the Cannabis  
13      Control Act, Illinois Controlled Substances Act, the  
14      Methamphetamine Control and Community Protection Act,  
15      the Methamphetamine Precursor Control Act, or the  
16      Methamphetamine Precursor Tracking Act unless the  
17      petitioner has completed a drug abuse program for the  
18      offense on which sealing is sought and provides proof  
19      that he or she has completed the program successfully;

20              (D) if convicted of:

21                      (i) a sex offense described in Article 11 or  
22                      Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of  
23                      the Criminal Code of 1961 or the Criminal Code of  
24                      2012;

25                      (ii) aggravated assault;

26                      (iii) aggravated battery;

1 (iv) domestic battery;

2 (v) aggravated domestic battery;

3 (vi) violation of an order of protection;

4 (vii) an offense under the Criminal Code of  
5 1961 or the Criminal Code of 2012 involving a  
6 firearm;

7 (viii) driving while under the influence of  
8 alcohol, other drug or drugs, intoxicating  
9 compound or compounds, or any combination thereof;

10 (ix) aggravated driving while under the  
11 influence of alcohol, other drug or drugs,  
12 intoxicating compound or compounds, or any  
13 combination thereof; or

14 (x) any crime defined as a crime of violence  
15 under Section 2 of the Crime Victims Compensation  
16 Act.

17 If a person has applied to the Board for a certificate  
18 of eligibility for sealing and the Board denies the  
19 certificate, the person must wait at least 4 years before  
20 filing again or filing for pardon from the Governor unless  
21 the Chairman of the Prisoner Review Board grants a waiver.

22 The decision to issue or refrain from issuing a  
23 certificate of eligibility for sealing shall be at the  
24 Board's sole discretion, and shall not give rise to any  
25 cause of action against either the Board or its members.

26 The Board may only authorize the sealing of Class 3

1 and 4 felony convictions of the petitioner from one  
2 information or indictment under this paragraph (10). A  
3 petitioner may only receive one certificate of eligibility  
4 for sealing under this provision for life; and

5 (11) upon a petition by a person who after having been  
6 convicted of a Class 3 or Class 4 felony thereafter served  
7 in the United States Armed Forces or National Guard of  
8 this or any other state and had received an honorable  
9 discharge from the United States Armed Forces or National  
10 Guard or who at the time of filing the petition is enlisted  
11 in the United States Armed Forces or National Guard of  
12 this or any other state and served one tour of duty and who  
13 meets the requirements of this paragraph, hear by at least  
14 3 members and, with the unanimous vote of a panel of 3  
15 members, issue a certificate of eligibility for  
16 expungement recommending that the court order the  
17 expungement of all official records of the arresting  
18 authority, the circuit court clerk, and the Illinois State  
19 Police concerning the arrest and conviction for the Class  
20 3 or 4 felony. A person may not apply to the Board for a  
21 certificate of eligibility for expungement:

22 (A) if convicted of:

23 (i) a sex offense described in Article 11 or  
24 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of  
25 the Criminal Code of 1961 or Criminal Code of  
26 2012;

1                   (ii) an offense under the Criminal Code of  
2                   1961 or Criminal Code of 2012 involving a firearm;  
3                   or

4                   (iii) a crime of violence as defined in  
5                   Section 2 of the Crime Victims Compensation Act;  
6                   or

7                   (B) if the person has not served in the United  
8                   States Armed Forces or National Guard of this or any  
9                   other state or has not received an honorable discharge  
10                  from the United States Armed Forces or National Guard  
11                  of this or any other state or who at the time of the  
12                  filing of the petition is serving in the United States  
13                  Armed Forces or National Guard of this or any other  
14                  state and has not completed one tour of duty.

15                  If a person has applied to the Board for a certificate  
16                  of eligibility for expungement and the Board denies the  
17                  certificate, the person must wait at least 4 years before  
18                  filing again or filing for a pardon with authorization for  
19                  expungement from the Governor unless the Governor or  
20                  Chairman of the Prisoner Review Board grants a waiver.

21                  (a-5) The Prisoner Review Board, with the cooperation of  
22                  and in coordination with the Department of Corrections and the  
23                  Department of Central Management Services, shall provide for  
24                  the conduct of hearings under paragraphs (1) and (4) of  
25                  subsection (a) of this Section through interactive video  
26                  conferences. The Prisoner Review Board, with the cooperation

1 of and in coordination with the Department of Corrections and  
2 the Department of Central Management Services, shall report  
3 annually to the Governor and the General Assembly regarding  
4 the use, costs, effectiveness, and future viability of  
5 interactive video conferences for Prisoner Review Board  
6 hearings.

7 (b) Upon recommendation of the Department the Board may  
8 restore sentence credit previously revoked.

9 (c) The Board shall cooperate with the Department in  
10 promoting an effective system of parole and mandatory  
11 supervised release.

12 (d) The Board shall promulgate rules for the conduct of  
13 its work, and the Chairman shall file a copy of such rules and  
14 any amendments thereto with the Director and with the  
15 Secretary of State.

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

19 (f) The Board or one who has allegedly violated the  
20 conditions of his or her parole, aftercare release, or  
21 mandatory supervised release may require by subpoena the  
22 attendance and testimony of witnesses and the production of  
23 documentary evidence relating to any matter under  
24 investigation or hearing. The Chairman of the Board may sign  
25 subpoenas which shall be served by any agent or public  
26 official authorized by the Chairman of the Board, or by any

1 person lawfully authorized to serve a subpoena under the laws  
2 of the State of Illinois. The attendance of witnesses, and the  
3 production of documentary evidence, may be required from any  
4 place in the State to a hearing location in the State before  
5 the Chairman of the Board or his or her designated agent or  
6 agents or any duly constituted Committee or Subcommittee of  
7 the Board. Witnesses so summoned shall be paid the same fees  
8 and mileage that are paid witnesses in the circuit courts of  
9 the State, and witnesses whose depositions are taken and the  
10 persons taking those depositions are each entitled to the same  
11 fees as are paid for like services in actions in the circuit  
12 courts of the State. Fees and mileage shall be vouchered for  
13 payment when the witness is discharged from further  
14 attendance.

15 In case of disobedience to a subpoena, the Board may  
16 petition any circuit court of the State for an order requiring  
17 the attendance and testimony of witnesses or the production of  
18 documentary evidence or both. A copy of such petition shall be  
19 served by personal service or by registered or certified mail  
20 upon the person who has failed to obey the subpoena, and such  
21 person shall be advised in writing that a hearing upon the  
22 petition will be requested in a court room to be designated in  
23 such notice before the judge hearing motions or extraordinary  
24 remedies at a specified time, on a specified date, not less  
25 than 10 nor more than 15 days after the deposit of the copy of  
26 the written notice and petition in the U.S. mail addressed to

1 the person at his or her last known address or after the  
2 personal service of the copy of the notice and petition upon  
3 such person. The court upon the filing of such a petition, may  
4 order the person refusing to obey the subpoena to appear at an  
5 investigation or hearing, or to there produce documentary  
6 evidence, if so ordered, or to give evidence relative to the  
7 subject matter of that investigation or hearing. Any failure  
8 to obey such order of the circuit court may be punished by that  
9 court as a contempt of court.

10 Each member of the Board and any hearing officer  
11 designated by the Board shall have the power to administer  
12 oaths and to take the testimony of persons under oath.

13 (g) Except under subsection (a) of this Section, a  
14 majority of the members then appointed to the Prisoner Review  
15 Board shall constitute a quorum for the transaction of all  
16 business of the Board.

17 (h) The Prisoner Review Board shall annually transmit to  
18 the Director a detailed report of its work for the preceding  
19 calendar year, including votes cast by each member. The annual  
20 report shall also be transmitted to the Governor for  
21 submission to the Legislature.

22 (Source: P.A. 104-11, eff. 6-20-25.)

23 (730 ILCS 5/3-3-3) (from Ch. 38, par. 1003-3-3)

24 Sec. 3-3-3. Eligibility for parole or release.

25 (a) Except for those offenders who accept the fixed

1 release date established by the Prisoner Review Board under  
2 Section 3-3-2.1, every person serving a term of imprisonment  
3 under the law in effect prior to the effective date of this  
4 amendatory Act of 1977 shall be eligible for parole when he or  
5 she has served:

6 (1) the minimum term of an indeterminate sentence less  
7 time credit for good behavior, or 20 years less time  
8 credit for good behavior, whichever is less; or

9 (2) 20 years of a life sentence less time credit for  
10 good behavior; or

11 (3) 20 years or one-third of a determinate sentence,  
12 whichever is less, less time credit for good behavior.

13 (b) No person sentenced under this amendatory Act of 1977  
14 or who accepts a release date under Section 3-3-2.1 shall be  
15 eligible for parole.

16 (c) Except for those sentenced to a term of natural life  
17 imprisonment, every person sentenced to imprisonment under  
18 this amendatory Act of 1977 or given a release date under  
19 Section 3-3-2.1 of this Act shall serve the full term of a  
20 determinate sentence less time credit for good behavior and  
21 shall then be released under the mandatory supervised release  
22 provisions of paragraph (d) of Section 5-8-1 of this Code.

23 (d) No person serving a term of natural life imprisonment  
24 may be paroled or released except through executive clemency.

25 (e) Every person committed to the Department of Juvenile  
26 Justice under the Juvenile Court Act of 1987 and confined in

1 the State correctional institutions or facilities if such  
2 juvenile has not been tried as an adult shall be eligible for  
3 aftercare release under Section 3-2.5-85 of this Code.  
4 However, if a juvenile has been tried as an adult he or she  
5 shall only be eligible for parole or mandatory supervised  
6 release as an adult under this Section.

7 (f) If, on or after the effective date of this amendatory  
8 Act of the 104th General Assembly, a person originally  
9 prosecuted under the provisions of the Criminal Code of 1961  
10 or the Criminal Code of 2012, sentenced under the provisions  
11 of this Code pursuant to Section 5-805 of the Juvenile Court  
12 Act of 1987, and convicted as an adult and committed to the  
13 Department of Juvenile Justice under Section 5-8-6, the  
14 Department of Juvenile Justice shall, no less than 120 days  
15 prior to the date that the person reaches the age of 21, send  
16 written notification to the Prisoner Review Board indicating  
17 the day upon which the committed person will attain 21 years of  
18 age. The Prisoner Review Board shall conduct a hearing with no  
19 less than 3 members to determine whether or not the minor shall  
20 be assigned mandatory supervised release or be transferred to  
21 the Department of Corrections prior to the minor's 21st  
22 birthday.

23 (g) A person who was originally prosecuted under the  
24 provisions of the Criminal Code of 1961 or the Criminal Code of  
25 2012, sentenced under the provisions of this Code pursuant to  
26 Section 5-805 of the Juvenile Court Act of 1987, and convicted

1 as an adult and committed to the Department of Juvenile  
2 Justice under Section 5-8-6 before the effective date of this  
3 amendatory Act of the 104th General Assembly shall receive a  
4 resentencing hearing in the person's home jurisdiction prior  
5 to the person's 21st birthday.

6 (Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)".